THE HINDOO PATRIOT

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Per Annum in Advance.
TOWN.....11-8.
MOFUSSIL.....13-4.

THE WEEK.

MONDAY, 15TH MARCH

THE FOLLOWING is an abstract of the funded debt of British India;

Rate of interest.	In Rupees.	In Sterling.	Total in Sterling taking Re. 1 as 2s.	Interest.
		£	£	£
5½ ...	10,20,06,700	...	10,200,670	561,037
5 ...	1,09,59,000	17,287,050	18,382,950	919,147
4½ ...	15,91,56,400	...	15,915,640	718,204
4 ...	42,48,10,176	31,876,116	73,857,133	2,954,282
3½ ...	6,52,800	...	65,280	2,285
Nil ...	9,37,687	21,217	115,686	...
Total ...	80,85,22,763	48,685,083	118,537,359	5,154,955

THE BUDGET STATEMENT for 1875-76 contains the following abstract of famine expenditure:

EXPENDITURE—			£
	Special establishments ...		250,000
	Subsidies to trade and Railway ...		456,000
		£	
GRAIN,—Cost...		3,740,000	
	Freight and storage	730,600	
	Railway carriage	333,000	
	Inland „ ...	1,334,000	
	Reserve „ ...	315,000	
	Steamers „ ...	95,800	
			6,548,400
	State Railways		145,000
	Relief works		1,108,000
	Charitable relief and miscellaneous		317,100
			£8,824,500
DEDUCT—			
	Sale of grain ...	2,514,000	
	„ stores ...	50,000	
	„ carriage and steamers	60,000	
			2,624,000
	Net charge ...		£6,200,500

Against the net charge of £6,200,500 may properly be put the surplus traffic receipts arising from the carriage of grain to the famished districts. These receipts are estimated at £400,000, so that the entire cost to the Imperial Government of providing relief was £5,800,000.

THE DEPUTY COMMISSIONER of Lucknow has issued a notification on the subject of the election of twelve non-official members for the Local Municipal Committee:

"The following classes are entitled to vote: I.—Government Officers, Wesequndars and Pensioners, on receipt of not less than Rs. 10 per mensem. II.—Mafeedars, Jaghirdars, and Zemindars of villages whithin the Municipality. III.—Owners and Occupiers of Houses valued at not less than Rs. 100.

All persons of these classes wishing to exercise their right of voting, must register their names at the Municipal Office, before the 20th March 1875.

In any Division of the Municipality, should the number of voters registered be less than 25 per cent. of the number of the persons entitled to vote, the members for that Division will be nominated and not elected.

Candidates for membership may be of any of the classes entitled to vote."

SMOKERS will be interested to know that an apparatus has been patented by a Frenchman, which is intended to supersede the familiar match box, by never getting damp, or refusing to strike. This new invention is called "the electrical tinderbox," and its price in Paris is half a franc. On opening this box, you see a platinum wire stretched across. Touching a spring, the wire reddens sufficiently to light a cigar. At will, you can introduce into a small socket a piece of cotton steeped in spirits of wine or patroleum, which, taking fire, does service as a hand lamp. The hidden agency which heats the wire is a very small electrical battery, set in action by the touching of the spring.

THE CHINESE ARMY, it is stated, is composed of 670 companies of Mongolian Tartars, 106,000 Chinese cavalry, 500,000 native infantry and 820,000 irregular militia—making a total of 1,500,000 fighting men.

THE ANTI-SLAVERY REPORTER reports a new slave trade in England. There are some men from Morocco living in or near Manchester, who send to Alexandria and elsewhere for slave girls and women—consigned to their care and held by them as slaves for improper purposes. When any of the parties holding these women wish for any reason to get rid of them they dispose of them—sometimes with considerable profit—to a co-religionist in England; or they send the *women back to Africa, to be sold there as slaves.*

TUESDAY, 16TH MARCH.

HAS THE reader heard of DeSouza Cabrall of South America? He owns diamond mines, gold mines, real estates sewing machines, railway shares and steamships to an amount which is said to make him the richest man in the world—not even excepting Rothschild. Some idea of his wealth may be formed from the statement that his nine diamond mines in South America alone bring him in twenty million dollars a year, while similar properties in South Africa and Siberia are estimated to be worth fifty million dollars. Then his rentals in Glasgow and London bring him in £ 50,000 per annum, and his sewing machine royalties yield 5,000 dollars per diem. On being asked whether he had any conception of the true value of his possessions, he answered modestly—"I could not swear that I am not worth fifty millions of dollars."

THIS PLUTOCRAT lately celebrated the marriage of his only daughter. A thousand guests were invited, the cards being contained in Sandal wood boxes with gold locks and key, each costing 150 dollars. But the grandest part of the affair was his presentation to the bride of the most magnificent necklace ever seen. After ten years of indefatigable hunting, he had collected thirty of the largest and finest diamonds in the world, not one of which was much inferior to the famous Pitt game in size or lustre. These he took to Amsterdam for the purpose of having a grotesque face carved on each gem. The jewellers declared the feat impossible but in five years' time it was accomplished at prodigious cost, and the fond parent had the supreme happiness of clasping a perfectly unique necklace round his daughter's neck. "My dear, you are the moon among stars," said the old gentleman gallantly, as he surveyed the effect. It was magnificent, superb, bewilderingly beautiful. A sad pity that the cost came to one hundred and twenty millions of dollars.

THERE WAS lately a case of wounding religious feeling in Madras. It is thus given in the *South India Times*:

"The Catholic inhabitants of Puddocottah, a village in the taluq of Ondiarpolliem, on the occasion of the visit of their Bishop, Dr. Laouenan of Pondicherry, erected a pandal and a cross at the entrance of a piece of ground in the village belonging to them. The Bishop alighted before the pandal and was conducted to the church by the whole population. The Catholics, in the great majority of cases, in the village, live in perfect harmony with their Protestant and Pagan neighbours.

"One man, however, lately come from the Mauritius, brought in a brand of disorder. Vexed at the sight of the cross he combined with the policedhar of Terrumalavady and filed a complaint at the Deputy Collector's Court. Thereupon five of the principal Catholics were brought by warrant before this official.

"On the ground of 'having erected a pandal and cross with the *deliberate intention* of wounding the religious feelings of the Hindus," the five defendants were condemned to pay a fine of Rs 50 each, or, in default, 3 month's rigorous imprisonment, and, in the meanwhile, they were ordered to demolish the cross within 8 days from the order."

An appeal has been laid before the Sessions Judge.

THE CONDITION of the coolies on the coffee plantations of Coorg and the Wynadd demands an enquiry. The Judicial Commissioner of Mysore reports that a large number of coolies annually die from exhaustion, disease and exposure on the roads leading into the different parts of that Province from the coffee estates in the Wynaad and Coorg. The chief cause of this excessive mortality is traced to the absence of proper accommodation on the roads for the poor and worn-out coolies, who so often attempt to return to their homes in the Mysore Province, in a weak and diseased condition of health. The Judicial Commissioner remarks:

"The appropriate remedial measure which should be adopted by Government appears to be, the erection and maintenance of proper rest-houses on the roads leading into the coffee-growing parts of the Wynaad and Coorg. The planters, I believe, can be induced to contribute a portion of the expenditure it would be necessary to incur for this purpose, but whether they do so contribute or not, I regard it as an imperative duty of the Government, resting on motives of ordinary humanity if not on considerations of the interest of the planter as well as cooly, to provide such suitable accommodation on the roads in question as will materially add to the comfort and health of the poor and sick travellers, who on these roads are mostly plantation coolies."

We trust that the suggestions of the Judicial Commissioner will be carried out.

THE LONDON Correspondent of the *Bengalee* says that ladies in England have ceased to wear shawls, and great is the wailing in Kashmir, in Paris and in Paisley in consequence. In vain did the Duchess of Edinburgh appear in a Kashmir shawl of the rarest beauty, when her father landed at Dover. Fashion has changed, and distress amongst the shawl weavers is the consequence.

THE QUEEN has been pleased to offer the poet Tennyson a Baronetcy, and to the extreme amazement of flunkeydom he has declined the honor.

WEDNESDAY, 17TH MARCH.

THE NEPAL boundary question seems still to give trouble. The *Lucknow Times* states that the District Superintendent of Police in Baraich, whilst out in camp, went on a shooting excursion towards the frontier. On hearing of his approach, the Nepaulese authorities, accompanied by a dozen of their soldiers stationed at a place called Bhainsa Gaurhi, appeared and stopped his further progress. After much expostulation on ground that Bhainsa Gaurhi is fully three miles within our territory, as demarcated by a line of permanently fixed *sal* posts, the Superintendent had to yield to the force of circumstances, and reluctantly to confine his sporting exploits to those parts of his jurisdiction which the Nepaulese have not yet occupied.

THE COMMISSION appointed by the Bombay Government to report on the suspension of the Cotton Frauds Acts state that the time has arrived for putting the law in abeyance. If this step should for a time lead to the renewal of the old practices, the Commission are convinced that matters will very soon right themselves, and the trade will suffer no permanent injury from the frauds of a few individuals. The days of enormous prices for East Indian cotton" they remark, "have passed away, probably never to return, with the close of the American war, and with them the unusual temptations to adulterate the staple which the provisions of the Act were meant to counteract, but it would probably be advisable to retain the Act on the Statute Book in case any tendency to fraud should hereafter develop itself in such a shape as to endanger the loss of the great export trade of the country, a loss which would be nothing short of a national calamity." To meet deliberate cases of fraud the provisions of the Indian Penal Code are apparently ample.

WE LEARN from the *Saptahic Samachar* that His Excellency the Viceroy having seen favorable notice of Babu Rajnarain Bose's lecture "Sakal or Ekal" or the Past and the Present, has directed the Education Department to render it into English. We hear that His Excellency has also ordered a translation of the Hooghly Bridge ballads.

WE ARE glad to learn that Mr. Justice Kemp does not retire for good. He takes leave for six months.

THE Associated Chambers of Commerce in England have passed a resolution that the Government should be moved to establish in England a Minister of Commerce, who should take his place in the Cabinet.

THE READER has doubtless heard of the Boden Sanscrit scholarship in Oxford. The following is the text of Col. Boden's Will on the subject: "I, John Boden . . . . being of opinion that a more general and critical knowledge of the Sanscrit language will be a means of enabling my countrymen to proceed in the *conversion of the natives of India to the Christian religion*, by disseminating a knowledge of the Sacred Scriptures amongst them, more effectually than all other means whatsoever &c."

THE LONDON EXAMINER makes the following remarks on the Baroda question:

"The trial of the Guicowar by the mixed Commission which Lord Northbrook will presently appoint occasions a good deal of uneasiness in Anglo-Indian circles. Some doubts seem to be entertained whether, after all, the evidence upon which the Government of India acted with so much haste can be completely trusted. It is felt that should the Commission acquit the Guicowar of the charge of complicity in the attempt on Colonel Phayre's life, the policy of removing him from power and constituting him a prisoner on the one-sided statements of native witnesses must be gravely questioned. Of course it is quite certain that the authorities who advised and ordered the arrest of Mulhaarao, acted on what they thought to be a very strong *prima facie* case, but native judges of fact might easily differ on this point from Anglo-Indian officials. The Government of India, however, is making creditable efforts to make the tribunal which will decide on the fate of the Guicowar an impartial and authoritative one.

The Court, will be a strong one, and if its judgment be unanimous the Guicowar will be condemned by the voice of all Indian opinion. Such unanimity however is by no means

certainly attainable, and if it be we are left face to face with the perplexing question—What next? Is the answer "Annexation?"

But the Government of India has pledged that there shall be no annexation.

THURSDAY, 18TH MARCH.

WE TAKE the following Cabul news from the *Delhi Gazette*:

"*27th February.*—The following news is given by the Vakeel of Syud Noor Mohamed Shah:—

Moostoufee Habeeboollah Khan has succeeded in his plans in taking Herat without fighting. He wrote letters to Agha Jan Jumshadee, the father-in-law of Sirdar Mohamed Yakoob Khan and to the officers of the Herat force, desiring them to obey the Amir's instructions in making over Herat to him. The Moostoufee also threatened them that if they did not attend to the Amir's order they would be severely punished. On this, the officers and Agha Jan Jumshadee got so very frightened that they went to Sirdar Mohamed Ayoob Khan and spoke to him:—

You are the Amir's son and the Amir is your father, why should we fight and give our lives for nothing you should not expect any aid from us. You are master of your own will and can do as you like. Agha Jan and the Herat force then sent a reply to the Amir through the Moostoufee, informing him of what they had said to Sirdar Ayoob Khan.

28th.—The following letter has been received from Herat:—

Sirdar Mohamed Ayoob Khan having been told by the Jumshadees and the Herat force that they would not assist him in any way, collected all his wealth and jewelry and marched from Herat for Mushhed. When the Sirdar was encamped one march from Herat on the Mushhed road, the chiefs of Herat and the Turcooman Sirdars waited on Sirdar Mohamed Ayoob Khan in camp and advised him to the following effect.

It is very improper for you to leave your father's (the Amir's) country and to seek protection in a foreign kingdom, you should go to Cabul and ask your father's pardon for what you have done.

Sirdar Mohamed Ayoob Khan did not listen to their advice and resolved to go to Mushhed.

1st *March.*—Since the Amir has heard about Ayoob Khan's departure for Mushhed, he is so uneasy that he does not take his usual meals, nor hold the durbar. The mother of Sirdar Ayoob Khan is weeping day and night. As for the officials of the Amir's durbar they too do not approve of the Amir's Policy, and say that the Amir for Herat's sake should not have seen his sons in distress.

2*nd.*—Some Cabul chiefs say that Sirdar Ayoob Khan's going to Mushhed will cause more friendly terms between the Persian and Afghan Governments and that Seestan affairs will be decided very easily.

3*rd.*—Various rumours are afloat in Cabul regarding Sirdar Mohamed Ayoob Khan. Some have it that Sirdar Shahnawaz Khan joined Sirdar Ayoob Khan and marched back to Herat and took it by fighting. Others say that Sirdar Ayoob Khan has gone to Mushhed by his father's request, as, if such was not the case, the Jumshadees and Turcoomans would have taken Ayoob Khan prisoner.

4*th.*—Another rumour is prevalent in Cabul today, that when the Sipahsalar and the Moostoufee entered Herat, Sirdar Mohamed Ayoob Khan, who had knowingly vacated the city, suddenly surprised them and took them both prisoners. All are anxious to know as to how matters will turn out."

FRANCE AND ITALY, as well as Germany and Austria, have, it is stated, declared their willingness to attend the Conference at St. Petersburg on the usages of war. Holland, Belgium Denmark, Switzerland, and Sweden have, like England, either declined to take part in the Conference or else deferred a definite reply. The *Nord*, the organ of the Russian Chancellery at Brussells, speaks with much bitterness of the refusal of England to participate in the Conference. It says that England tends altogether to become a great counting house, with mercantile fleets and military fleets to protect it. As showing the decline of English influence, the *Nord* cites the fact that the representatives of the English Evangelical Alliance, though patronized by the British Embassy at Constantinople, could not obtain an audience from the Sultan. In a second article the *Nord*, referring to Lord Derby's despatch on the subject, says that the motives assigned for the refusal are suggestive of that hypocrisy which is so prominent a feature in British policy. And all this notwithstanding the recent matrimonial alliance between England and Russia. Marriage has not proved a cement of union between the two.

THE FOLLOWING STATISTICS shew that the consumption of liquor is increasing in the United Kingdom. In the first half of the year 1874 duty was paid on 13,887,923 gallons of home-made spirits retained for consumption in the United Kingdom as beverage, being 662,639 gallons more than in the corresponding half of the previous year. The quantity so retained in England was 7,832,320 gallons, an increase of 586,449 gallons; in Scotland, 3,131,597 gallons, an increase of 182,655 gallons; in Ireland, 2,924,006, presenting the usual return of a decrease amounting to 106,465 gallons. The quantity of foreign and colonial spirits, not sweetened or mixed, entered for consumption in the United Kingdom in the half year was 4,915,927 proof gallons, being 87,422 gallons more than in the corresponding half of the preceeding year.

AT THE RECENT Vienna Exhibition there were some specimens of paper made from several materials which have not hitherto been utilised for that purpose. Among these was paper from the mulberry-tree bark, from the stinging nettle, and from potato stalks. In districts where mulberry leaves are used for feeding silkworms the remaining twigs have hitherto served only for fuel. But now, in Austria and parts of Italy, the bark is peeled off by a simple arrangement, and from it a material is prepared from which a good quantity of paper is made. In Hungary the nettle is used with rags for making fine sketching and copying paper, and in Bohemia wrapping paper is made from potato stalks.

MR. T. VANSTAVERN, Executive Engineer, Ravelala, Madras, has published some interesting notes on the Antiquities found in parts of the Upper Godavery and Krishna districts. These antiquities consist of the cairns and tombs of Dravidians or earlier Scythians; of Scythian tombs of later period, ruins of Buddhist and Hindu temples, and stone crosses of early Christian period.

A NEW APPOINTMENT, that of Secretary to the Financial Commissioner in the Settlement Department, has been just created in the Punjab.

ONE OF the most important orders recently issued from the War Office stringently requires every officer to shave, not only his chin, but his under-lip also, from the corners of his mouth downwards. This will doubtless add much to the efficiency of the British Army.

FRIDAY, 19TH MARCH.

WE ARE glad to learn that it is definitely settled that the Hon'ble Ashley Eden officiates for Mr. E. C. Bayley in the Supreme Council. This appointment of course cancels his application for leave Mr. Bayley leaves for England from Bombay on the 26th proximo.

A CORRESPONDENT complains that Mr. Harrison, a Deputy Magistrate, has been appointed to an Inspectorship of the Education Department regardless of the claims of the officers of the Department. He says that the Government itself has admitted in its recent Resolution that the officers of this Department have no prospect of promotion, and yet when a vacancy occurs, an outsider is put in.

WE LEARN from a letter from Bagirhat dated the 11th instant that the Munsif's Kutchery, which is a thatched house, has been burnt down; the records have however been fortunately saved.

A CORRESPONDENT thus writes to us from Ausgram in the district of Burdwan:

"A horrible murder took place the other day at Ausgram. It was that of a woman who had gone out on a nightly visit to her lover. One of her husband's brothers is said to have perpetrated this foul deed. And the Police have apprehended him. Others on whom suspicion lies are being examined by the Police. Prior to this occurrence, two others of a still more horrible nature took place within the *elaka* of the Ausgram Police. The first was a murder-case. A respectable Bramin of Amrargar it was rumoured was at the bottom of this tragic event. The other was a case of Dacoity at Bhoki, and there is every reason to believe that one of the robbers was deeply wounded with a *dao* by the owner of the house they had plundered. In these two cases I should state, the police have not been successful in tracing the offenders."

The writer complains that the Sub-Inspector of Ausgram generally associates with himself in police enquiries an outsider, whose name need not be mentioned, which we are told the people don't like

CERTAIN FACTS have come to our knowledge, which we think it right to mention in justice to the Chief Commissioner of Assam regarding the appointment of Captain T. G. Willans, R.E. (not Williams) as was erroneously stated in our paper to officiate for Major (not Col.) Trevor, R. E. It appears that Col. Trevor has taken leave only for six weeks, and the arrangement is therefore temporary. Then Col. Willans is not a young and inexperienced officer. He had been an Executive Engineer in Bombay, but for some reason or other he had vacated his appointment, and it was on the 4th December last that he was re-appointed as an Executive Engineer, 3rd Grade, and posted to Assam.

AN EXPEDITION has been fitted out to punish the Nagas.

THE FRIEND OF INDIA states that recently an application was made to the authorities of the Calcutta University that some degree of proficiency in the French language might be recognized as one of the matriculation tests. Mr. Sutcliffe, the Registrar of the University, has returned the following reply: "I have consulted the Vice-Chancellor on your proposal to make French a second optional language at the University Entrance Examination, and he desires me to say that it would be a change of a character he could not recommend to the Senate under present circumstances."

A EUROPEAN CORRESPONDENT *Senex* thus addresses the above journal on the subject of the landlord and tenant dispute:

"Since the abolition of Act X, the rent law, the ryots of Bengal, especially in Mymensing and Pubna, have adopted the wicked idea, that as their landlords could only proceed against them by a Civil suit, they would resist payments of rent as long as they could. It is the fashion with some pseudo-philanthropists, both European and Native, to speak frequently of the oppression of zemindars but to appear ignorant of the universal dishonesty of the ryot. No doubt zemindars are too often oppressive, and when they are not so, their amlah and hangerson get them the credit of being so. Were the ryots honest, as a body, though subject to oppression, they would pay the actual amount of their rent into Court, in all cases in which the Zemindar or his servants refuse to receive, and give a receipt for, the simple rent. As a rule ryots pay illegal cesses and douceurs to the zemindaree amlah as a bribe to leave them undisturbed in the enjoyment of more land than they have any right to, perhaps of a whole Jumma entered as "*Polatcka*" in the "*Jumma Wasil Bakee*", so long as the ryot leaves the amlah to the extent perhaps of three fourths of the Jumma. At length the greedy amlah puts on the screw too lightly, and the villains of the village to persuade the peaceable ryots to join them in refusing payment of rent. The ryots know as well as I do that where a rogue, and an honest man, go to law the former has many chances in his favor. At every step in "an Act 8, 1859, suit" the honest man suffers more by the action, inaction delays, useless forms &c, of the law, than the rogue. The moment the rogue sees that, in spite of forged papers, false swearing &c.—the honest suitor is likely to obtain a decree for his just claim, his wicked wits are set to work to see how he can remove all moveable property to the houses of friends, so as to prevent attachment, or to discover which of his relatives he can persuade to lay claim to shares in his immoveable property."

The condemnation is too sweeping. The bulk of the ryots are not dishonest—they are too often misled by a few evil-disposed ringleaders. It is their simplicity and not duplicity, which lies at the bottom of the mischief.

SATURDAY, 20TH MARCH.

IT IS SIGNIFICANT that Mr. Holhouse has reduced by the new High Court's bill the number of jury for a criminal trial in Calcutta from 12 to 9, and declared that the verdict of the majority, shall prevail, and that not a single European has raised his voice against this innovation. The British Indian Association was the only public body, which objected to it.

THE TOTAL NUMBER of deaths in Calcutta during the week ending on the 6th March was 303 against 248 of the previous week. The mortality from small-pox and cholera is increasing. There were 56 deaths from small-pox and 46 from cholera during the week under report.

WE ARE SORRY to learn from the weather reports of Bengal for the week ending on the 13th March that cholera is prevailing in parts of sub-divisions of Diamond Harbour, Satkhira and Bushirhat in the district of 24-Pergunnahs, and also in parts of Nuddea, and small-pox in parts of the districts of Hooghly. There is a complaint almost everywhere owing to want of rain and scarcity of good drinking water.

A CORRESPONDENT from Lahore says:

"It gives me great pleasure to inform you that Baboo Seeta Nath Ghose, accountant D. P. W. Dera Ismael Khan has been acquitted of the charges brought against him by the Executive Engineer of that Station. I believe you are aware that he was prosecuted in December last on suspicion of opening a cover, addressed to the Executive Engineer, which contained question papers from the Thomason College, Roorkee for the Baboo's examination. The Police made thorough investigation in the matter but was unable to elicit any evidence in support of the prosecution."

We give this fact so prominently because there is now a tendency to convert school-boy pranks into serious criminal offences.

THE BEHAR HERALD understands that it is proposed to take the young Maharaja of Cooch Behar to England, and place him in some University there for education. Our contemporary adds that the young Maharaja won the first prize in his class for general proficiency.

WE ARE GLAD to learn from the same journal that Munshi Peary Lal's movement for reducing the marriage expenses of the Hindus is bearing fruit in Behar. Almost all the marriages celebrated during the last *lagan* (auspicous day) amongst the *Srebastov* sect of the Kayest community were preformed according to the rules and scales of reduced expenses fixed by the Munshi.

WE ARE SORRY to learn that Mr. Macnaughten, the Commissioner of Excise and Stamps, North Western Provinces, shot himself dead yesterday. It is said that he was suffering from nervous fits of depression, owing to the personal liability with which he was charged for the defalcations committed in his office by his head-assistant.

IT IS STATED that Mr. Atkinson, Director of Public Instruction, Bengal, takes leave for six months, and that Mr. Sutcliffe officiates for him.

THE ENGLISHMAN has received a telegram to the effect that the Maharaja of Bulrampore has been appointed an Additional Member of the Vice-regal Legislative Council. Another ornamental member!

WE TAKE from the morning papers the following telegrams of the week:

London, 13th march.—In the House of Commons, Lord George Hamilton in reply to a question stated that the Indian Government were fully aware of the strategical importance of Herat and Merve and the duty to insure security on the frontier. After a debate in the Committee upon the Bill to amend the law for Regimental Exchanges the first clause was adopted after various amendments had been rejected, including proposal to fix 500 pounds at the maximum sum that might be paid. The Marquis D, Audiffret has been elected President of the National Assembly. A consistory was held yesterday; six new Cardinals, including Archbishop Manning, and ten Bishops were created.

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London, 16th march.—In the House of Commons last night, Mr. Disraeli, replying to Mr. Wait, said that our Minister at Pekin had been instructed to request that a strict investigation be made into the murder of Mr. Margary at Manwyne. Mr Disraeli will make a further communication to the House when Mr. Wade's Report has been received.

Paris, 12th March.—M. Buffet announces that the Government intends to modify the press-laws, but meanwhile it is impossible to raise the state of siege. no allusion was made to a dissolution.

ON TUESDAY last the Brahmo Samaj Libel suit against the *Suptahik Samachar* was called on for hearing. The defendant applied for one month's time as he had to change his attorney. A fortnight's time was granted.

HIS HIGHNESS the Maharaja Holkar has we believe as a mark of his appreciation of the services of the British Indian Association made a spontaneous gift of Rs. 1,000 to its funds.

LAST EVENING His Honor the Lieutenant-Governor gave a moon-light party at the Belvedere park. About eight hundred European ladies and gentlemen were invited.

THIS EVENING His Excellency the Commander-in-Chief gave an evening party for the reception of Native gentlemen.

AT THIS morning's sitting of the Bengal Council the Mahomedan Marriage and Divorce Bill was considered in Committee. It is proposed to exclude Behar and Orissa from the operation of the new law for the present. Mr. Dampier introduced a new Irrigation and Navigation Bill.

IT IS stated that fresh troops have been ordered to Baroda. Some think that this looks ominous for the Gaekwar, while others say that troops are being sent to relieve their comrades, who are suffering severely from fever.

AN EXTRAORDINARY sitting of the Governor General's Council has been summoned at Delhi possibly for deliberation upon the Burmese imbroglio.

MR. ROBINSON, late Madras Member in the Governor General's Legislative Council, succeeds Mr. Ellis in the Executive Council. A stronger man would have been preferable in the present complexion of the times.

THE FIRST appeal by Government against an acquittal was heard by the High Court yesterday before Justices Kemp and Morris. According to his own statement the prisoner, who was charged with culpable homicide, was convicted and sentenced to three years' rigorous imprisonment.

THIS AFTERNOON the annual distribution of prizes to the girls of the Chorebagan Girls' School was held, Mr. Justice Phear in the chair. Several native gentlemen of note were present on the occasion. This is not a show school. It is doing good work without fuss and noise, and to Babu Bhubun Mohun Sircar belongs the credit of carrying it on with success. It needs a local habitation, and we hope friends of native female education will come forward to help the project.

A CORRESPONDENT thus writes to us from Patiram, Dinagepore, dated the 17th instant :

"This morning the Magistrate of this district Dinagepore Mr. E. V. Westmacott was coming to Patiram Police Station from Balughat on the road he met a man bathing in a tank on the road side. The Magistrate's horse shyed at the sight of some clothes which the man had kept on the road. The Magistrate ordered the man to take away his clothes. He refused. The Magistrate then said to the man *Sooar* take away your clothes. The man very calmly replied "I am a Brahmin and not a *Sooar*, but you are a *sooar*." The Magistrate pocketed the insult very quietly and coming to Patiram police station ordered the Court Inspector to enquire and ascertain the man's name and residence. The Court Inspector has ascertained the name of the man to be Indromohan Chatterjea of Rohimapore, and the tank where this altercation took place situated in that village. It is not known what the Magistrate is going to do in this matter, but he has mentioned this fact in Thanna Inspection Report Book as an instance of the hostile attitude of the people of this part towards Europeans."

The man was certainly impudent. But it is not a case of race-antagonism, but tit for tat.

MR. RIVERS THOMPSON makes over charge to Mr. Ross Mangles, who officiates for him as Secretary to the Government of Bengal, and leaves for British Burmah on the 5th proximo.

WE HAVE to acknowledge with thanks the receipt of the following publications and periodical :—Finance and Revenue Accounts and Miscellaneous Statistics relating to the Finance of British India, Part III. 2. Hindu Music from various Authors. Compiled by Raja Sourindro Mohun Tagore. Part 1. 3. Inter-Provincial Finance : Bombay and Bengal's relative Position. (A paper read before the Bombay East India Association by Mr. W. M. Wood.) 4. Forty-fourth Report of the District Charitable Society. 5. Proceedings of the Asiatic Society of Bengal, No. X. December, 1874. 6. Gynankur vol III. No. 5, for the month of Chaitra 1281 B. S. 7. Paper containing information for gentlemen proposing to study in England. Issued by the London Branch of the National Indian Association.

The Hindoo Patriot.

MONDAY, MARCH 22, 1875.

THE BUDGET.

SIR WILLIAM MUIR has published his first Budget-Statement. It is matter-of-fact and modest, and makes no pretence whatever to an exposition of principles of finance and economy. It reads more like a note from a clerk in the Financial Secretariat than a statesman-like document, such as financial statements delivered in the House of Commons lead one to expect from an English Minister of finance. So far as it goes, we have however no fault to find with it. It is well arranged, lucid, and fair enough. The condition of our finances is satisfactory, though we do not see marked effects of that economy, which it is said Lord Northbrook has enforced in all departments of the State. We are willing to believe that there is now a spirit of economy prevalent in all public establishments, at any rate there is not that spirit of wild and reckless extravagance, which was manifest under the last *regime*, but the Financial Member would have done well, if he had given under one head the reductions effected within the last three years, with a brief history of the measures. Sir William Muir is wholly reticent upon the subject. One thing is however highly satisfactory. The ordinary expenditure is absolutely within ordinary income :

		Receipts.	Expenditure.	Surplus.	Deficit.
Ordinary revenue and charges of 1873-74.	Regular Estimate.	£ 49476000	£ 47657300	£ 1818700	£ .....
	Actual account.	49611711	47539775	2071936	.....
The same, adding famine charges	Actual account...	49611711	51404448	.....	1792737
The same, adding both famine and extraordinary public works	Actual account.	49611781	54957755	.....	5346044

Thus, the famine charges incurred in 1873-74 turned a surplus of £2,071,936 into a deficit of £1,792,737 ; and the additional charge for reproductive works raised the excess charge to £5,346,044. If these extraordinary charges had not occurred, there would have been a surplus of over two crores of rupees. Similarly the regular-estimate of 1874-75 shews an equillibrium between ordinary income and expenditure, to wit :

		Receipts.	Charges.	Surplus.	Deficit.
Ordinary revenue and charges	By Budget.	£ 48984000	£ 47792000	£ 1192000	£ .....
	By Regular Estimate.	50070000	48181000	1889000	.....
The same, adding famine expenditure ..	Regular Estimate	50070000	50623000	.....	553000
The same, adding both famine and extraordinary expenditure for public works	Regular Estimate	50070000	54658000	.....	4588000

Now the net charge of the Famine is given at £5,800,000, and Sir William Muir shews that nearly the whole of it is covered by the surplus of three years from 1872-73 to 1874-75. The surpluses of the last three years were as follows :

	£
1872-73	1,763,878
1873-74	2,071,936
1874-75	1,389,000
Total	5,724,814

So far so good. The elasticity of the Indian revenue fully met the extraordinary pressure upon it caused by such an exceptional calamity as the Famine of 1874. This is a fact which speaks volumes in favor of Lord Northbrook's financial administration of India.

The principal sources of Indian revenue are land, opium, salt, excise, and customs, and all of them are in more or less sound condition. The gross revenue from land for 1875-76 is estimated at £21,379,000, being an advance upon the past year's regular estimate of £296,000. Thus the land yields nearly three-sixths of the aggregate revenue. Sir William Muir says, "upon the whole, it is encouraging to find this great branch and mainstay of our income in so sound a condition, and likely in future to yield an appreciable increment year by year." The opium revenue, tested by the experience of the last seven years, is fairly steady. We subjoin the returns of the past seven years :

	£
1868-69	6,733,254
1869-70	6,130,874
1870-71	6,031,034
1871-72	7,657,213
1872-73	6,870,423
1873-74	6,523,599
1874-75 Revised Estimate	6,170,000
Average	6,559,485

It will be seen from the above that the opium revenue has never in any of those few years fallen below six millions. The revenue from salt is perfectly sound. It is increasing notwithstanding the loss incurred by the abolition of restrictions on the traffic in certain parts of the country. The whole preventive line from the Taptee near Boorhanpore and skirting Berar eastward to the Muhanuddee has been swept away, as well as the small line between Madras and Bengal. A great tract of country has thus been freed from the harassing interference and vexation inseparable from such a barrier ; and salt has been cheapened in several provinces. From this measure it was expected that we might lose perhaps £100,000 ; the actual net loss will probably not exceed £40,000. A portion of it is recouped at Bombay and on the Great Indian Peninsular Railway, in the shape of a sliding duty adjusted according to distance and cost of carriage, so as by degrees to break the difference of duty (Rs. 1-13 per maund) levied at Bombay, and that levied at Jubbulpore on the Nort-West line (Rs. 3). Sir William Muir notices two important points connected with this subject. *Firstly*, the loss has been more than made good by progress in the general salt revenue of Bengal, the North-Western Provinces, and the Punjab, so that gross salt revenue of the present year, £6,188,000, will be actually better than in 1873-74 by £37,338; *Secondly*. the reduction has gone, not (as is too often the case) into the pockets of the trader but the people who consume the salt, in a lowering of the price. In Berar the fall of duty is close upon one rupee ; east of the Berars there is a reduction of 8 annas ; and along the valley of the Nurbudda, an average fall of about 5 or 6 annas A similar sliding duty has been introduced between Madras and Orissa, and is believed to answer well. Sir William remarks "a slow but sure progress is observable in the salt revenue, which in 1873-74 brought in £6,150,662 ; and for 1875-76 is estimated at £6,208,000. The duty on salt is held to be for this country one of the most legitimate and least obnoxious taxes, notwithstanding the evils admittedly inherent in the great customs barrier. The progress of Railways, and especially of the state lines, is daily cheapening the price of the salt in those parts of the country most distant from the sources of supply, and where consequently the cost is highest. Moreover, there is reason to hope that by an arrangement with the states of Central India it may be possible at some future time to abolish the entire preventive line. If this be done, and an approximation made to equalizing the duty all over India, we shall have a source of revenue, not only unobjectionable in

its nature, but also possessing the virtue of elasticity, since the rate would be capable of from time to time being raised or lowered according to the financial necessities of the day. The prospect of attaining this result may yet be some way off, but it will be steadily kept in view by the Government of India." The estimate of excise revenue for 1875-76 shews an increase of £35,000, which is said to be mainly due to the recovery of Bengal from the effects of the scarcity, and also to a satisfactory improvement generally throughout the empire. In 1873-74 the income from excise was £286,637: in the current year £2,370,000 are expected. Sir William observes: "Increased attention is being everywhere paid to this branch of the administration; and, from the various reports recently received, it is clear that the increase arises, at least in a very great measure from more stringent control, and a better check over smuggling. The Government of India have constantly inculcated the principle that in administering the excise department the interests of morality must dominate over those of revenue, and, where necessary, have supported the Local Governments in carrying that principle into effect." With regard to the customs revenue we confess we do not feel quite hopeful. Our trade is not in a very prosperous condition. The leading features of trade in 1873-74, as compared with the year preceding may be described as follows: The aggregate value (including Government stores and treasure) was £94,277,080, being an increase over 1872-73 of two and three-quarter millions. The increase was almost entirely in imports, which exceeded those of 1872-73 by £2,407,577. The small increase in exports (£338,400) was due to an increase of £605,117 in treasure; so that there was really a decrease in the value of exported merchandise, amounting to £266,717. Of the increase in imports, £1,235,949, are due to treasure, and £1,151,628 to merchandize. The increase in the value of exports, as shown above, was £338,400. This is the result of several fluctuations, of which the most marked are the following;—Raw cotton fell by £805,923; raw jute by £706,533; and rice by £235,969. The decrease in the value of cotton is wholly due to lower prices, the quantity exported having risen by nearly ten million lbs.; that in jute was owing to the fall in prices caused by unusually large exportations in the two preceding years. The diminution in rice was owing to the demand caused by the scarcity in Behar. The proportionate decrease in value was less than that in quantity, prices having been higher in 1873-74 by 11·3 per cent.; so that the fall in quantity was 13.8 per cent., and in value 4.1 per cent. The chief items of increase were tea, indigo, seeds, wheat, and treasure. These facts do not shew, as Sir William Muir assumes, that the prospects of Indian commerce are encouraging. In this state of our trade nothing could be more unwise than to lower the import duties. Already the imports have glutted the market, and increased facilities would lead to much more wild speculations, and the consequence we fear will be a severe crash. The interests of revenue will also seriously suffer. If there is any tax on commerce which calls for repeal, it is the inland customs. Sir William Muir says, "the head of customs includes £140,850 duty on sugar exported from North-Western India to Rajpootana and Central India. This is one of the least defensible of all our taxes; but there is hope that, with the customs barrier at which it is collected, it will ere long be swept away."

Regarding expenditure there are certain items, which it seems difficult to repress. First in order is the Army. We subjoin a statement of military expenditure for eight years:

	NET EXPENDITURE FOR THE ARMY.		
YEAR.	In England.	In India.	Total.
1868-69	3,243,494	11,888.063	15,136,557
1869-70	3,478,807	11,768,357	15,247,134
1870-71	3,507,034	11,605,618	15,112,652
1871-72	3,586,934	11,146,758	14,733,692
1872-73	3,503,020	11,093,781	14,596,801
1873-74	3,328,912	10,890,239	14,219,151
1874-75 Revised Estimate ...	3,599,700	10,960,300	14,560.000
1875-76 Budget ,, ...	3,725,600*	11,050,400	14.776,000

There have been, we are aware, considerable reductions in army expenditure. But the scheme of the Colonels' retiring allowances has greatly swallowed up the savings. We observe that the expenditure under this head for the two years 1874-75 and 1875-76 is estimated at not less than £400,000. This is an unjust burden upon the tax-payers of India. It is the price of the folly committed by the amalgamation of the Indian with the English army under Court influence. The next heavy item is the interest upon the guaranteed capital of Indian Railways. The following table gives the progress of the traffic receipts:—

	Miles open. No.	Gross earnings. £	Expenses. £	Net receipts. £
1870-71 ...	4,963	6,620,758	4,063,977	2,556,781
1871-72 ...	5,077	6,699,981	3,831,033	2,868,948
1872-73 ...	5,345	6,889 281	4,341,381	2,547,900
1873-74 ..	5,593	7,641,042	4,410,488	3,230,554
1874-75 (Regular)...	5,613	8,245,400	4,683,400	3,56,2000
1875-76 (Budget) ...	5,865	7,449,900	4,307,900	3,142,000

The gross earnings of the closing year are expected to be £8,245,000, and the expenses £4,291,500; the net traffic receipts will thus be £3,953,900, of which £391,900, being half the surplus in excess of guaranteed interest, will be paid to the Companies. The remaining £3,562,000 will accrue to the Indian revenues. The interest payable under guarantee is £4,694,000. The net amount chargeable against the revenues will be £1,132,000. But this liability will decrease with the increase of the earnings of the Railways. The State Railways are a new burden. At the end of 1873 the mileage open was 183 miles; at the end of 1874, 612.

The total cost to end of 1873-74 was ...	£5,619,950
Expenditure in 1874-75 (Regular Estimate)	2,787,550
Grant for 1875-76 (Budget Estimate) ...	3,000,000
Estimated total expenditure to end of 1875-76	£11,407,500

The interest upon the above capital is nearly half a million, while the net receipts are expected to rise to £50,000. So much for the remunerativeness of the State Railways. The same remarks apply to Irrigation Works. The Finance Minister is of opinion that they are beginning to pay, but he mentions only the works in Bengal and North India, and excludes the other provinces, and we are therefore left entirely in the dark as to the results of the works throughout the country. The Railways and Irrigation Works come under the head of public works extraordinary. Ordinary public works also absorb a large amount of revenue, but we are bid to hope for a reform in this department under the auspices of the new Public Works Minister. Loss by exchange is another heavy item. The rate of exchange for the current year is estimated at 1s. 9 7-8*d.* per rupee, and to remit £14,300,000 at this rate requires the adjusting entry of an additional £1,390,000. Against this we have, on the opposite side of the sheet, a gain of £325,000; leaving a net charge under this head of £1,065,000. Surely our financiers ought to be able to devise some means for reducing, if not absolutely saving this annually recurring heavy loss.

We now come to the ways and means for 1875-76. The cash balances on the 31st March 1875 were estimated as follows, but the actuals shew an excess of nearly two millions:

	Estimate. £	Actual. £
In India	15,272,593	15.700,042
Home Treasury ..	1,268,745	2,686.156(*a*)
	16,541,338	18,386,198

Of the loans borrowed during 1874-75, the Secretary of State raised £5,000,000 at four per cent. interest, obtaining a premium of £69,832, at an average of £1-7-11 per cent. Two and a half crores of rupees were raised in India, also at four per cent. interest, a premium being obtained of Rs. 6,90,695, at an average of Rs. 2-12-2 per cent. For this loan 1,480 tenders were received, of which 908 were from Natives of India. The whole amount tendered was Rs. 16,15,95,900. The Government minimum price was Rs. 101, and 851 tenders were received for Rs. 14,13,81,500 at this rate or at rates exceeding it. Of these tenders, 525 were from Natives of India. The comparative results of the two loans shew that Lord Northbrook has managed much better than Lord Salisbury, and it would be wiser to raise money in future in India than in England. It is proposed to borrow 2½ millions during the current year, and the reasons are thus given by Sir William Muir:

"In the coming year we have seen that the sum to be expended in Reproductive works is £4, 300,000, and a further sum of £633,700 will be required for repayment of Railway capital: total 4,933,7. Against this is to set the surplus of £506,000, reducing the amount to £4,427,700. The receipts upon the remainder of the cash account of the coming year will exceed the disbursements by £316,000. If this be deducted from the £4,427,700 required a balance of £4,111,700 remains to be provided for.

Supposing no money to be borrowed, this drain upon the Treasury would reduce the balances at Home and in India to about Fourteen and a quarter millions. But this sum is too small for the requirements of the empire; and it will be necessary to arrange so that the balances shall not fall below Seventy millions. To provide for this it has been resolved to borrow the sum of £2,860,000. Of this amount the Maharajahs of Scindia and Holkar are under engagements to contribute for Railways £360,000. The remaining sum, £2,500,000, will be raised by loan. In accordance with the intimation given by Her Majesty's Government there will be no borrowing in England during the present year: the loan, therefore, to the amount above specified, will be raised in India. The arrangements for this purpose will be notified at some suitable time hereafter. By these arrangements the cash balance will, it is estimated, stand at £17,096,598 on the 31st March 1876.

The Budget statement we are of opinion wholly cuts the ground under the feet of Sir William with regard to the proposed loan of 2½ millions. He has under-estimated the opium revenue; and trusting to the general elasticity of the Indian revenue, we may fairly expect an excess over the estimate. Then it is preposterous that the cash balance should be maintained at the high figure of 17 millions. Both Messrs. Wilson and Laing held that a solid cash balance of 10 millions ought to be sufficient and safe. Excepting the last five years, the Finance Ministers had worked with a cash balance of 14 millions, and we see no reason to borrow money for the purpose of swelling the cash balance beyond 14 millions. It may be presumptuous on our part to criticize a financial policy, which has the sanction of such an able financier as Lord Northbrook. But the financial operations of the past year shew that at least two millions of loans could have been saved. Guided by the same experience we are inclined to think that the Government may well do without raising a loan for the current year. Nothing could be more creditable to Government than to have met such an extraordinary pressure upon the revenue as the late Famine without raising a further loan or levying additional taxation.

We wish the financial statement had been laid before the Legislative Council. It is true there was no legal necessity for such a course inasmuch as no measure of taxation was contemplated. But the discussion of the Budget in the Council would have been satisfactory. The more the public are brought *en rapport* with the Government in the deliberation of financial questions, the greater the confidence they will feel in the financial policy of Government.

THE LEGISLATIVE SESSION.

THE Session of the Vice-Regal Legislative Council is over. On Monday last the Council met for the last time in Calcutta, and adjourned *sine die*. It will re-assemble in Simla, but it has become customary to mature there the bills introduced in Calcutta, and to pass them when it meets again here. Only emergent measures are enacted at Simla. The last session was the longest that was held in Calcutta since the Simla exodus had come into fashion. The Council had returned to Calcutta in December 1873, and from that time to the middle of this month it held its sittings in the capital. There was naturally a lull in the business of the Council in 1874. The calamity, which overtook the country last year, suspended for a time the ordinary operations of Government except in emergent cases and in routine matters. Nevertheless the Law Member was active. He was occupied with several important consolidation measures. By far the most important bill introduced in the Council last year was the Civil Appeals Bill. Its object was decidedly beneficial; Mr. Hobhouse was strongly impressed with the defects of the present system of special appeals; the limitation of the special appeal to points of law frustrated the ends of justice; the Judges of the High Court were unanimously of opinion that unless the whole case was opened in appeal substantial justice could not be done. Mr. Hobhouse coincided in this opinion, and proposed to redress the grievance. Unfortunately in seeking to correct one evil he introduced provisions, which were calculated to give rise to another evil. He proposed that there should be no second appeal except under certain permissive con-

ditions in cases under Rs. 200, and in which there might be a concurrence in the decisions of the courts of the first instance and first appeal. This part of the bill was open to serious objections and evoked strong opposition from all sides. Petitions poured in against it from different parts of the country, and it is noteworthy that the Bengal Government sympathized with the remonstrances raised by the people at large. No one wished for the multiplication of appeals, but it was admitted on all hands that the District Courts required to be strengthened. Accordingly the Lieutenant Governor proposed to constitute new appellate benches for the trial of the suits excepted under Mr. Hobhouse's Bill. Sir Richard Temple's scheme of appellate benches is now before the Government of India, and in the meantime the consideration of the Bill has been adjourned. Another important bill which was passed by the Council during the last session was the revenue suits jurisdiction Bill relating to Bombay. This Bill took away the jurisdiction of Civil Courts in revenue suits, and produced great dissatisfaction in the Western Presidency. We are sorry that the Government persisted in this measure and enacted it into law. Then there was the Law-Reporting Bill. Considerable discussion both in and out of doors followed the introduction of this measure. It has seldom fallen to our lot to read a protest against a Government measure recorded by Government officers, so vigorous, so closely reasoned, and so pointed as the protest of the Judges of the Bombay High Court aganist this Bill. Mr. Hobhouse answered them in a very clever speech, but while we admit the ability on both sides, we must confess that the weight of reason was on the side of the Bombay Judges. Indeed, in answering them the Law Member shewed a passionateness and impatience of hostile criticisms, which we were little prepared to see in one, who, however tenancious to his own opinions, has a reputation for being amenable to reason and conviction.

The last session of the Council will be memorable for the reforms, however small and tentative, introduced by removing some of the restrictions on inland customs and attempting to equalize the incidence of the salt tax. Much yet remains to be done in this line, but we have good reasons to be grateful for what has already been accomplished. Then the last session of the Council saw for the first time the enactment of a Bill introduced by a native member of the Council. It is a most important measure, we mean the Majority Act; it introduces a salutary change in the law governing non-age in India; it equalizes the limit of minority throughout the British territories, and raises the age of wards and minors under guardians appointed by courts from 18 years to 21 years. This is a healthy change and calculated to prove highly beneficial. His Highness the Maharaja of Vizinagram, who introduced this Bill, was justly complimented by His Excellency the Viceroy and other members of the Council for associating his name with such an important measure. Then a series of Acts of great importance to British Burma were passed at the instance of the Hon'ble Mr. Eden. There were also several consolidation Acts passed by the Council during last sessions, the most important of which was the Port Dues Act. This Bill was thoroughly discussed in Council; the law, said His Excellency the Viceroy, was now scattered through a variety of enactments; no less than seventeen Acts were repealed, and their provisions consolidated. While speaking of this Bill His Excellency paid a just tribute of praise to Mr. Hobhouse for the work he has done by the consolidation of several important measures. His Excellency said:

"Speaking from his own experience, His Excellency was well aware of the difficulties of consolidation, and fully appreciated the labour which had been expended on such a task. It was indeed a work of great labour, and also of much benefit, for by such consolidation the law was clearly placed before those who had to discharge their duties under its provisions. It had been constantly the trust of the Legislative Council of the Governor-General to bring in, from time to time, measures of consolidation like the present, and his hon'ble and learned friend, Mr. Hobhouse, had continued with great zeal and success the work which he found before him on his assuming his present office. There had been many measures of consolidation passed within the last two years, and His Excellency had obtained a list of those measures which had been brought forward and disposed of since Mr. Hobhouse had assumed his present office. There were eighteen Acts of the Legislative Council of the Governor-General passed for the purpose of amending and consolidating the law. By their provision, twenty-one statutes of the Imperial Parliament had been repealed, so far as their effect in this country was concerned; one hundred and sixtyseven Acts of the Indian Legislative Councils were also repealed, and one hundred and fifteen Regulations which had the force of law. So that the effect of passing these eighteen measures had been to repeal no less than three hundred and three laws and regulations. It must, therefore, be confessed that a great deal had been done in this direction, although something more yet remained to be done; and it was only right and fair that, while the Council expressed the sense they entertained of the valuable services rendered by Mr. Hobhouse on the occasions of the passing of those Bills, they should not forget the services rendered by their able and learned secretary towards the accomplishment of this task. on whom a good deal of the real work of consolidation fell, His Excellency well knew that it had been to him a labour of love, but he was none the less entitled to their thanks on that account."

We endorse every word of the above, and we readily acknowledge that Mr. Hobhouse has done his work well and satisfactorily. There was in some instances a disposition to save labor in consolidating Acts by referring to existing general laws without embodying them in the new bills. This was a most inconvenient mode of consolidation, and we were the first to point out the irregularity and disadvantage of this system. We are glad to observe that Mr. Hobhouse has corrected this defect. In submitting the revised draft of the High Courts Criminal Procedure Bill he remarked, "up to that time we had framed our Bill on the principle of applying to the High Courts certain parts of the Criminal Procedure Code in block, and by reference to the chapters and sections of that Code. We were however very much urged, especially by the High Courts of Bombay and Calcutta, not to do the work in that fashion, but to set forth *in extenso* all the sections of the Code which we proposed te apply to the High Courts, making the requisite alterations in the text of each section. On further examination of the subject we thought that the learned Judges were right, and that we should avoid a good many ambiguities and errors by taking the trouble to set out the sections at length. Accordingly we made that alteration, and the Bill was published in its new form about two months ago." This is as it should be, and we are glad to observe that Mr. Hobhouse proposes to follow this correct mode in other consolidation Bills.

We do not agree with those who charge Mr. Hobhouse with a desire for over-legislation. He generally gives ample time to the public to discuss measures introduced into the Council, and bestows the most patient and attentive consideration upon the representations addressed to it. He is deliberate and cautious, and a notable instance of the care and attention he bestows upon all that he does is afforded in the Port Dues Bill. This Bill was before the Council for more than a year, and he took every objection raised into careful consideration. The only defect which we observe in the proceedings of the Council is the absence of discussion on the part of the additional members, both official and non-official. It is true that the real work is done in Select Committees, but the proceedings of these Committees are not published, and the Council consequently suffers in public estimation. While we admit that the Law Member shews the utmost consideration for public opinion, we think it would be more satisfactory to the public if their representatives were to open their lips more frequently in the Council. It is gratifying that His Excellency the Viceroy takes an active interest in the work of legislation. There is scarcely an important Bill laid before the Council on which His Excellency does not give his opinion. This personal interest shewn in legislation by the head of the Government cannot but have a most salutary effect upon the public mind.

THE VICE-CHANCELLOR'S ADDRESS.

MR. Vice-Chancellor Bayley's address reads better in print than it appeared when it was delivered. His faltering voice, added to the difficulty of hearing in the Senate House, marred the effect of his delivery. The Address may be divided into two parts, firstly, a summary of the operations and events of last year, and secondly, a review of the past and a speculation of the future of the University. Mr. Bayley began by remarking that last year for the first time no books were prescribed for the Entrance Examination in English. This statement was not strictly correct, for Mr. Lethbridge's course was the general text-book, but the results of the Entrance Examination in English were satisfactory. The Vice-Chancellor said, "I can personally testify that the papers set were, without being too severe, such that certainly no student could have been placed in the first class without a very good, and in the second class without a very competent, knowledge of the English language, its structure, and its idioms." In the First Arts Examination there was marked failure. The Vice-Chancellor said, "I am afraid this is to be attributed to the class of students who came up to the Entrance last year, many of whom barely passed." The general impression is however different. Although Mr. Bayley thinks that "there was no exceptional severity in the examination papers," the experience of the candidates and their teachers does not tally with this assertion. But let that pass. Such a large failure in the First Arts shews that there is a screw loose somewhere, and it ought to be put to rights. The results of the B. A. and M. A. Examinations do not call for remark. It is however to be regretted that the Premchand Roychand Scholarship has been withheld this year inasmuch as none of the candidates came up to the mark. "It is the intention of the University to offer for competition two scholarships next year, the second being held for one year less than usual." Mr. Bayley made this handsome allusion to the success of Babu Ananda Mohun Bose at the Cambridge University. "Another circumstance of a pleasanter character has been the presence in a high place in the Cambridge Mathematical Honour list of the name of that student of our own University for whom my learned predecessor, Sir H. Maine predicted such a success if he should attempt it. I trust it may be the first step in a useful, successful and honourable carreer." Several Fellows of the University were snatched away by death last year. The Vice-Chancellor thus dwells on their memory: "Four of our fellows have been lost to us by death this year. Of Raja Kalikrishna, so well known to all who hear me, I need say little—to high personal character he united considerable acquirements and his passionate devotion to the ancient classical literature of this country was worthy of all respect. Dr. Satkauri Dutt was a man who sought only, unostentatiously and zealously, to do his duty, but his ability, industry, and conscientiousness won him a reputation in this city which will long survive. Dr. Chuckerbati would deserve mention if only as the representative of that first little band who braved all prejudice in the pursuit of knowledge and set the example now more widely followed of proceeding to Europe in search of it; but he deserved more notice than this, for his unfortunately too short a life was worthy of the promise of his youth, and he had earned an honourable place in his profession and in the estimation of all classes of society when he was prematurely called away." He also paid a glowing tribute of praise to the memory of Mr. Beebee.

The Vice-Chancellor next adverted to the position of the University. "Its establishment," he said, "as an independent corporation was the primary step towards the end aimed at by the great Educational despatch of 1854, namely, that of establishing a system of higher education—catholic in its character, and designed gradually to become self-sustaining. For this object it was essential to provide a controlling influence apart from Government, uniform in its action, and competent to maintain high standards without variation or caprice, yet capable of adapting itself to the growing wants of the Empire." "Such being the status of the University," he continued, its "main function is, no doubt, the testing and the control of higher education, and the formation of a class of trained thinkers, able in their turn to lead and educate their fellow-countrymen, and to raise up indigenous schools of science, of literature; schools, indeed, of new thought upon all the subjects which awake the interests and affect the condition of mankind." Now, has the University fulfilled this function? Of course considerable difference of opinion exists on this subject, but it cannot be denied that the results taken as a whole have been successful. The Calcutta University as an emblem of peace, progress, and enlightenment was founded in that memorable year when the Government was struggling for its very existence in another part of the Empire. The child was thus ushered into the world when the political horizon of the country

was overcast with cloud, and the sun did dot shine with full effulgence until three or four years after. The work of the University was consequently carried on at the outset under considerable disadvantages. It has not yet completed two decades, and the period for which it has lived is thus a small space in the intellectual history of a nation. The influence of the University even within that short period has not been altogether unimportant. It has given a new impetus to English education in this country, and opened a wide scope to enquiry and thought. Compared with the alumni of the old Colleges the graduates of the University undoubtedly shew a greater range of general knowledge and wider intellectual sympathies. As a body their attainments in English have not certainly been in keeping with their general progress, but the fault we fear lies with the system of instruction rather than examination. The University has given a class of men for the profession of law, the like of which did not exist before in this country. If the Subordinate Judicial Service and the bar both of the High Court and the District Courts have immensely improved within the last ten years, that improvement is due entirely to the healthy influence of the University. Then there is now more literary activity among the educated natives than there was twenty years ago, and this result is also to be traced to the University. There is not a single graduate of the University, who is open to a charge of ignorance of his vernacular, and there are many who have acquired a fair knowledge of Sanskrit—an acquisition to which none of the students of the old Colleges could lay a claim. The result is the enrichment of the vernacular literature. Thus the beneficial influence of the University is visibly felt. Of course we do not with Mr. Bayley claim any complete and unmixed success. As he remarked, "our University has to contend against difficulties and disadvantages which are unknown to most European Universities, and in many respects has to combat also in a far higher degree the chief evils which likewise beset the latter. Nor do I mean to claim for ourselves any immunity from imperfection and from error. We have been compelled often to work in great uncertainty as to the precise effect of our measures, sometimes with inferior instruments and on imperfectly prepared material. There have been, and still are, many other obstacles in our way, and that much partial failure should, especially at first attend our efforts, is scarcely wonderful. Nevertheless, I do honestly believe that we have achieved already a very creditable and important success. I do not speak of the mere scholastic acquirements of our graduates, though these have often been of a very high standard, but of the University system itself which has, I feel no doubt aided most materially in moulding for good the large and growing class which leads the native community. At least, I am sure that no one will deny the extensive influence which the University has had on the training of this class, and I confidently believe that it has been, as we have desired it to be, a right influence."

But what of the future? Mr. Bayley said, "the conclusion to which my own experience has led me is that while we should in the first place look for a sound general intellectual training as a preliminary condition for entrance on our rolls; that while we should not neglect the maintenance of this, at least to some extent, in our higher examinations; yet that in these last, and especially in the highest, it will probably be expedient to make a yet more complete separation of various courses of study, so as to avoid still further the danger of a superficial attention being paid to many subjects, instead of a thorough study of one or two." This is certainly a most important subject. The University it is held by many aims at a dead level of intellect—it does not encourage the particular bent of mind in a student, particular tastes, particular inclinations and particular sympathies, and it is therefore worthy of consideration whether it cannot second nature after a student has attained a definite point in general education. But it is not enough to open to the mind the store-house of knowledge, it is also necessary to see how the mind will subsist. Can it subsist if the body is not fed? The State is now multiplying fast intellectual machines, but the character of instruction is such that as soon as these machines leave the work-shop, they threaten to come to a dead-lock. There is something radically defective in the design. The plain truth is that mere verbal education will not benefit the nation; the University ought to aim at something higher and practical, something that will supply food for the body as well as the mind. If the body starves the mind cannot grow, but unfortunately the tendency of University education is the starvation of the body. How many graduates of the University are there who can decently earn fifty rupees a month? How can such men foster intellectual life and aspirations in the nation? They cry for bread and receive a stone. The Senate ought therefore to consider what modifications should be made in the University system of education to give it a practical turn. The question cannot be shirked longer without serious detriment to Native society.

THE RENT QUESTION.

THERE are two questions connected with the present rent dispute, which demand solution, 1st, the collection of arrears of rent, and 2nd, the enhancement of rent. With regard to the first we believe opinion is pretty unanimous that an arrear suit in the civil courts is harassing, dilatory, and expensive, and that it would be a relief to both the zemindar and ryot if the arrear suits were transferred from the civil courts to the Revenue Courts for summary trial. To the zemindar because he will have speedy means for recovery of rent, and to the ryot because as he is cast in the generality of cases he will be saved the cost and harassment of a civil court suit. The second question is very difficult. The state of law on this subject has always been uncertain and unsatisfactory. Prior to 1855 this evil was little felt because the prices were stationary, and the zemindars were thankful for what they could get. There was not much competition for land, and consequently not much enhancement. Since the Crimean War Bengal has entered upon a new era of commercial progress and development, and from that time suits for enhancement of rent began to pour into the courts. Uncertain as the old law was, it was made still more uncertain by Act X of 1859. No point was definitely settled or solved—it was left entirely to the discretion of the courts, and what the result has been we see in the mass of contradictory decisions passed by the courts, not excepting the High Court, and the chronic war between the landlord and tenant which the new law has introduced and fostered. This state of things cannot continue long without producing a serious crisis, which it will be then perhaps too late to mend. A stitch in time saves nine, and on this principle we would invite the attention of Government to an impartial consideration of the present situation.

The question of rent is very ably discussed by Babu Degumber Mitter in a pamphlet published in 1865 on the judgments of the High Court in the Great Rent Case. He does not agree either with the majority or the minority. He pronounces against the theory of the Pergunna rate held by the majority of the Judges of the High Court, because, he says, "the rates laid down by them are unscientific, and because, considering the undeniable fact of the same quantity and quality of land being held in the same village at different rents, the application of those rules for finding out the rate, would necessarily lead to the absurd result of a variety of rates prevailing in the same village, which is inconsistent with the current notion of a Pergunnah rate." "If, however," he continues, "the Pergunnah rate is at all to be the guide, there is no question that a faithful Jummabundee or rental account of a ryot prior to the Permanent Settlement, is the most reliable source, from which the same can be obtained." The following is the literal translation of the Jummabundee of a ryot, taken from the records of the 24-Pergunnah Collectorate. The measurement and the assessment were conducted under the orders, and supervision of the Collector, and not the extortionate Zemindar.

Dukhin Sccrpore Talook Mokoondaram and others.

SREE SREE DOORGA

YEAR 1190.

Pergunnah Majora.
Joyram Saw.

According to present measurement and Ekwal.	Land. Bgs. C.	Rate. Rs. A. G.	Total. Rs. A. G.
Culturable Sallee or Paddy land.....	2 7	4 12 8	4 2 12
Embankment charges.	0 0	0 0 0	0 2 12
	2 7	0 0 0	4 5 4
Deduct the land and rent of 1189 B. S.	2 7	0 0 0	3 11 3
Increase.....	0 0	0 0 0	0 10 4

From this Jummabundee it appears, Babu Degumber observes, that the share of produce payable by the ryot for each beegah of paddy land, was in money nearly 1 rupee 12 annas 6 pie. Taking the average produce of the first quality paddy land at 10 maunds a beegah, and the price at 4 maunds a rupee, which is as high as it could possibly have been at the time, and the straw at 8 annas per beegah, we find that the yield of each beegah in money was Rs. 3, of which 7-12ths were the Zemindar's share and 5-12ths that of the ryot. There is another fact observable in the Jummabundee, *viz.*, that though there had been no increase in the area of the land at the measurement of 1890 B. S., still there was a rise of 10 annas 4 gundahs on the Jumma of the year before, being at the rate of more than four annas a beegah; so that the money value of the rate, which must have been 1 rupee 8annas a beegah in 1189 B. S., was raised to 1 rupee 12 annas in 1190 B. S., or in other words, the share of produce payable by the ryot, which was 6-12ths or just half, was raised to 7-12ths. From this document, the authenticity of which cannot be impeached, it is clear, therefore, first, that the rate of rent prevalent in 1190 B. S., or nearly 7 years prior to the Permanent Settlement was 7-12ths the produce; second, that the rate, or share of produce, payable in those days for the use of land, was not, as is so positively asserted by the learned Judges on the authority of Mr. Mill, fixed, but fluctuating, and that again, without the intervention of the arbitrary cesses exacted by the zemindars; unless it should be believed, that the great increase in the money value of the rate was justified, by a sudden, and for that time, an extraordinary rise in the value of the produce. Babu Degumber is equally opposed to the rule of proportion adopted by Sir Barnes Peacock. He observes: "But while I have no hesitation in condemning the judgment of the majority, as opposed to law, unsound in principle, and leading practically to results, as absurd as they are ruinous to the ryots, I regard the English principle of adjustment adopted by the Chief Justice, as still more ruinous to the Zemindars. Paradoxical as at first view this assertion may appear, it is nevertheless strictly true—and I only wonder, that the deception has not long since been dispelled. The rate of 1 rupee 3 annas a beegah, awarded in the case of Hill *versus* Issur Ghose, is considered extravagantly high, and the fact of the very Zemindars, who have got their rent suits decreed at 1 rupee 3 annas a beegah, gladly reducing it to 12 annas, to induce the ryots to retain their tenure, is considered to be proof positive that the mode of calculation adopted by the Chief Justice, in the determination of the rate, must be ruinous to the ryots." We transcribe the following pertinent remarks of the Babu for the solution of the difficulty:

"In Lower Bengal, all culturable lands naturally divide themselves into Salee and Soona, or low and high lands, and are rated according to the natural fructifying advantages which they respectively enjoy. The Salee lands are only fit for Paddy, and on the Soona lands, according to their nature and capacity, are grown, besides *Aus Paddy*, the different kinds of seed, vegetables, sugarcane, mulberry, tubers, fibrous and dye-producing plants, as also fruit trees. Both Salee and Soona are again sub-divided into different classes according, as I have observed, to the natural advantages which they enjoy; and competitive money-rates spring up for each, from time to time, in exact obedience to the laws of demand and supply. If the ryot improves upon the advantages which any class of land naturally possesses, by his own skill and capital,

he enjoys exclusively the benefits of the improvement. As for instance, if the ryot, instead of growing tobacco upon Soona land of the first quality, of which the competition rate is Rs. 8 a beegah, should plant mulberry or sugarcane, he does so at his own risk and profit. The Zemindar has no more right to claim from him more than his 8 rupees, which is the intrinsic value of the land, than he has to a share of the ryot's income derived from sources other than the land. I am perfectly aware that in olden times, the Zemindars (some even now) would vary the rates according to the nature of the crop, as is observable from Section 56 Regulation VIII. of 1793 quoted elsewhere, but such injudicious and unreasonable exactions, were of a piece with the imposition of Abwab, which was more of the nature of an income tax, than a rent, and which a ryot of the present day will submit to under circumstances which must be very peculiar indeed. The rates now established in Lower Bengal in pursuance of the laws enunciated above, vary from $\frac{1}{2}$ to $\frac{1}{3}$ the gross produce raised with ordinary cost and labor. For instance in the Districts of Beerbhoom, Burdwan, Hooghly and in parts of the 24-Pergunnahs, the population is so dense and a winter crop of Paddy, which is the chief produce of the country, is raised with so little expense, that lands are greedily sought for at half the gross produce, whilst such parts of the 24-Pergunnahs, Baraset, Jessore, and Backergunge, as are contiguous to the Soonderbuns, 6-16ths of the gross produce, are what the Zemindar readily accepts for his lands. Again, the Soona Matan lands of Rungpore, Moorshedabad and Nuddea, which have been too long acquired from the river, to be annually inundated and enriched by a loamy deposit, cannot be let out at more than $\frac{1}{3}$ the gross produce, because the risk and expense of raising a crop therefrom, are comparatively greater. In the same way there can be no difficulty in finding out the competitive rate at which lands in the different districts are from time to time let out. And though I deny that the Legislature, as shown above, have ever conceded to the hereditary khood-kasht ryots any right, beyond the occupancy of their lands, on the punctual payment of rent, at the Purgunnah rates for the time being, the Zemindars, I am sure will gladly make an exception in their favor, by making an allowance of 1-8th on the competitive rate, which is nearly 1-16ths on the gross produce, *viz.*, if the competitive rate be 4 Rs. a beegah, the Zemindar will accept 3-8 from the khood-kasht ryot; and let such settlement last for 10 years. An allowance of one-tenth on the competitive rate, which is equivalent to granting 1-16ths of a ryot's holding free of rent, I humbly conceive, is as much as the occupancy ryots can reasonably expect, or the Zemindar can possibly afford to forego: and will upon calculation be found to be considerably more than what the Zemindars were allowed for their Malikana at the Permanent settlement, or the dependant talookdar by Section 8 Regulation V. of 1812, upon the re-settlement of his talook, after sale for arrears. There are half-a-dozen ways of getting easily at the competitive rate, such as an enquiry into the latest rate of Koorfa royts amongst whom land constantly change hands and rates at which Hasil Khamar lands may have been last let out, and an officer who cannot correctly find out the competitive rate, ruling in his Pergunnah or District, is not worthy of being retained in the service. That done, the whole question at issue is at once solved, by assessing the lands in suit at 7-8ths the competitive rates, found for the time being for lands of a similar quality.

And who is to decide this question? Should it be left to the Civil Courts or should the agency of the Revenue Officers be availed of for the settlement of the dispute? We are inclined to think that the latter are in a better position to make an enquiry of this kind. Let a proportion of the gross produce payable to the zemindar as rent be fixed by law, and let the decision of the Revenue Court upon it have a currency for ten years. The land will then have rest for ten years, and if after the expiration of the decade it be found that the value of produce has further increased, let an adjustment be made on the same principle from decade to decade. The decision of the Court should embrace a whole class of lands in an estate, if practicable, though liberty should be given to individual tenants to claim abatement for exceptional reasons. Unless some general rule of this kind be laid down, we fear there will be no satisfactory solution of the rent question.

THE LIBERTY OF THE SUBJECT.

WE publish in a Supplement an elaborate judgment recently delivered by the High Court in one of the most remarkable cases, which have ever come before a Court of Justice. The case affords a striking illustration, not only of the inefficiency and depravity of the Bengal Police, but also of the incompetency of some of our judicial officers in the Mofussil, to appreciate native testimony and to grapple with difficult questions of fact which they are frequently called upon to try. It also illustrates the advantages of the much-abused system of appeals which prevails in this country, and which is the only safe-guard enjoyed by the people against gross miscarriage of justice and the exercise of arbitrary power by judicial officers in the Mofussil. Not long ago we reported in these columns a series of cases illustrative of the working of the new Code of Criminal Procedure, and having regard to the number of such cases which we have from time to time noticed, it may be confidently asserted that any legislation tending to curtail the powers of the High Court and to enlarge those of Mofussil Magistrates, would in the present state of the country be fraught with the most mischievous consequences to the people at large. The tendency which exists among a large class of Mofussil Judges to support the Police and the executive in all cases, is perhaps greatly due to the fact of their having been for many years executive officers themselves, and they not unnaturally find it safer as well as easier to accept the conclusions arrived at by the executive than to form an unbiassed judicial opinion of their own on the evidence which is laid before them. This state of things must, we apprehend, continue so long as executive officers with scarcely any judicial training continue to be suddenly called upon to discharge the arduous duties of District Judges in the Mofussil. It is not difficult to say, judging from the nature of the case, and the opinion expressed by the Assessors who sat at the trial, what the verdict of a Jury would have been, if the case of Anund Chunder Sikdar which we notice to-day had been tried by a Jury at Furreedpore instead of the Officiating Judge of that District. That gentleman, it seems, found it difficult to believe that either the District Superintendent of Police, Mr. Owen, or the Deputy Magistrate of Goalundo, Mr. Davies, could be deceived, or that either of those gentlemen could possibly in any way abuse his powers or depart in the least from the procedure laid down by law. And accordingly we find him while sentencing a number of men to transportation for life on a charge of murder, going somewhat out of his way in his judgment, to compliment those two officers in high terms for having succeeded in securing the conviction of men, who have now been found by the highest Court in the land to be entirely innocent of the crime of which they were accused!

The history of the case, as we have been able to gather from the papers placed at our disposal, is shortly this: On the 22nd of August last, at noon, one Anund Sikdar laid a complaint at the Pangsha Police Station to the effect that at day-break that morning, one Sadu Biswas who was at enmity with the Sikdars of Patta, came to that village with a number of men and commenced to cut *dhan* in a field belonging to the complainant. Thereupon one Chunder Mundul an adherent of the Sikdars having interfered some of the followers of Sadu Biswas fell upon him, and wounded him so severely that he died in a few minutes, and the Sikdars after his death, caused the corpse to be removed to their house where the body was lying. The attacking party retreated soon after Chunder Mundul fell. On receiving this information, the Sub-Inspector in charge of the Thanna at once proceeded to the spot and commenced his investigation. He was soon followed by Inspector Parbutty Charan Bhattacharjea, and both these Police Officers continued their investigation successfully for several days. They arrested and *chalaned* some of the men whom Anund Sikdar had accused, the rest having absconded. Several witnesses were produced in support of the complaint, whose testimony seemed to impress Mr. Davies the Deputy Magistrate so much in favor of the prosecution, that he refused to grant bail to the accused, and everything was proceeding smoothly and satisfactorily as remarked by the High Court, till the beginning of September. For some unexplained cause, a Police Officer, subordinate to Parbutty Charan Bhattacharjea the Inspector, who was not on the best terms with him, goes to the village of Patta, and he is soon followed by Mr. Owen himself from Furreedpore. And the whole case, as if by a process of magic, completely changes its complexion at this stage, and within a few hours from Mr. Owen's arrival the tables are completely turned; seven men of the Sikdar's party actually confess to having murdered Chundra Mundle in cold blood on the night of the 21st August whilst he was sleeping on the veranda of the Sikdar's for the sole purpose of getting up a case against Sadu Biswas! Some private correspondence then takes place between Mr. Owen and Mr. Davies, which the former declines to produce in Court when asked, and Mr. Davies himself comes to the scene early in the morning of Sunday the 6th September, and without any loss of time proceeds to record the statements of the so-called confessing prisoners, and the depositions of some witnesses produced before him by the Police. Two boatmen and two sweeper women depose to having witnessed this diabolical murder, and without any attempt whatever to sift or test the evidence thus produced, Mr. Davies at once, probably flushed with the remarkable success thus achieved by Mr Owen and himself, commits Anund Sikdar, two of his witnesses, and the seven confessing prisoners, in all ten men, to take their trial at the Sessions; and on his return to Goalundo directs at once the release of Sadu Biswas and his party who had been all this time in custody at that place. It must be here noted that prior to Mr. Davies' taking charge of the case, the seven confessing prisoners had been in illegal custody without any order from the Magistrate, as stated by Mr. Owen himself when cross-examined by the counsel for the defence: "Some of the accused were in my custody more than 24 hours. I had no written authority for doing so. *I knew that this was contrary to law.*" (The italics are ours.) It should also be noted that for some reason best known to Mr. Davies himself, while the non-confessing prisoners were sent to the Goalundo Jail on the 6th of September, the rest were apparently left in the hands of the Police by Mr. Davies, and they were not sent to the jail until the 8th, that is on the day when they were finally committed to take their trial. It is not to be wondered at therefore, that previous to their trial by the Sessions Judge, those prisoners sent a petition from the Jail to that officer retracting their statement, made before Mr. Davies, and stating that they were extorted improperly by the Police, and were altogether false. At the trial in the Sessions Court, the prisoners happened to be defended by Counsel from Calcutta, Mr. Manomohun Ghose, and the evidence was now for the first time tested. Mr. Owen made some startling disclosures regarding the enquiry, but Mr. Davies when cross-examined on these points declined to answer any questions and claimed protection as a judicial officer, and the presiding Judge strangely enough ruled that Mr. Davies, who had been called by the prosecution, was not bound to answer questions in cross-examination affecting his conduct in the case, and went to the length, as the record shows, of himself declining to put down all the questions which the cross-examining Counsel had asked and which he disallowed! The Assessors, who sat at the trial, were unanimously of opinion that the evidence in the case was false, and that the confessions had been improperly obtained; but the Judge, differing from this opinion, convicted five out of the ten men under trial.

The elaborate judgment of the High Court in the case contains a careful analysis of the whole evidence and shows how ten men narrowly escaped undergoing probably the extreme penalty of the law, for a crime which they never committed. The case however, discloses many facts of a very ugly character which must not be lost sight of. The question arises, who is responsible for so gross an attempt to pervert justice? The murderer of Chunder Mundol, whoever he may be, goes unpunished, and we find moreover that seven men are somehow or other induced to make certain confessions which the High Court holds to be "intrinsically worthless," untrue, and obtained by improper means. We have had lately some startling instances of Police confessions,

which afterwards turned out to be wholly false, and we regret to find that as in this instance, even the supervision of a European Police Superintendent is no guarantee of the truth and voluntary character of confessions in this country. And when we look at the perfunctory manner in which Mr. Owen investigated this case, as pointed out by the High Court in the latter part of the judgment, and as disclosed in his own evidence, we are not so much surprised at the credulity of that gentleman as at the simplicity with which the District Judge gives Mr. Owen "credit for the intelligent manner in which he conducted the enquiry and the care he observed to prevent the exercise of undue influence!" Possibly the Judge felt that Mr. Owen was much in need of this compliment after the disclosures he had himself made in his evidence. Mr. Owen makes these startling admissions :

"I neither personally, nor through any subordinate examined any witness or made any enquiry at Patta into the complaint against Sadu Biswas. I was deputed to enquire at Patta into a murder case ; when I left for Patta there was no case against Anund Sikdar or the others now accused. I took no steps to arrest the persons named by Anund Sikdar. I knew that persons accused by him had absconded before I went to Patta. I again say that I had formed no opinion, as to the truth or falsity of the charge against Sadu before I went to Patta."

The High Court is of opinion that Chunder Mundul was in all probability killed in a fight between the Sikdars and Sadu Biswas, and we understand that this conclusion is in accordance with the general belief in the neighbourhood. But whether that conclusion is correct or not, the case, we repeat, discloses many ugly features bearing upon the administration of criminal justice in the Mofussil, and as such deserves to be carefully looked into by the Legislature and the Government. May we venture to ask Sir Richard Temple to send for the record of the case, and judge for himself as to how the Police, the Magistrate and the Judge performed their respective duties. When such cases occur is it a wonder that the liberty of the subject is not considered safe in the Mofussil ?

THE GAEKWAR'S TRIAL.

WE TAKE from the morning papers the following telegrams regarding the Gaekwar's trial :

SIXTEENTH DAY.

Baroda, March 15th, 16h. 5m.—The Commission was thronged to-day. Prior to commencing his speech Serjeant Ballantine put in a written statement of the Gaekwar's, distinctly denying all the charges, and expressing his willingness to answer any questions. The document was read in Maharatti.

Serjeant Ballantine then addressed the Commission. He prefaced his speech by some remarks on the cruel persecution of the Gaekwar, who prayed that the justice hitherto denied him might now be accorded. He presented in strong terms the predicament the Gaekwar was placed in being deprived of his liberty. He was humiliated before his subjects. He said there never was such an instance of a persecuted Prince in history.

Regarding the evidence for the prosecution, Serjeant Ballantine remarked that the prosecution has been energetic in collecting a mass of mere incongruous matter. Commencing with the Viceroy's proclamation, Serjeant Ballantine remarked upon the limited scope of the present inquiry, which particularly prohibited extraneous matter, and directed the Commissioners to confine themselves exclusively to the charges stated in the proclamation ; and, above all, exhorted them totally to forget whatever they might know, from what they had heard, of the Gaekwar's previous life, which had nothing to do with the Commission. Serjeant Ballantine then considered the nature of the charges, saying, that that of poisoning alone involved the necessity of considering the evidence and the nature of the charges ; but he could not bring his mind to the level of the other charge of tampering with the servants, as he did not understand the nature of it. Regarding the witnesses, Serjeant Ballantine made two remarks :—Firstly, the manner in which the Police dealt with them. The Police are, by certain rules, forbidden to accompany witnesses to Courts of Justice. Here the Baroda Police appeared to be the governing body. Even contrary to law, they took depositions. No Judge or Magistrate controlled them. Such monstrous power was calculated to terrify and be productive of much injustices. Witnesses, Serjeant Ballantine was prepared to prove, were mysteriously brought together every 24 hours, through the able management of Akbar Ally, and when just in the humour to unburden their minds. After a long narration of how the Police conducted matters Serjeant Ballantine considered the second point. That the evidence produced was that of accomplices, and was inadmissible therefore in any English court of law, unless confirmed. Serjeant Ballantine clearly pointed out the evidence of Rowjee and Nursoo relates to different matters. Pedro, instead of confirming, contradicted. Either Rowjee or Pedro ought to be believed. He recommended the evidence of Pedro by calling attention to the fact that Mr. Scoble necessarily or intentionally omitted commenting upon the native evidence, because Pedro was a trustworthy witness, and an old and faithful servant. If Pedro is to be believed, the whole superstructure of the evidence for the prosecution falls. He argued that even if Rowjee is to be believed, he might be found guilty of attempted poisoning, but certainly there was no evidence against the Gaekwar. He dwelt long on the Gaekwar's conduct. He ousted Sir L. Pelly's opinion and Colonel Phayre's evidence. It was impossible that the Gaekwar, who wrote the *khurreeta* to the Viceroy to remove Colonel Phayre, could attempt the life of the very man who would have to explain the matter which formed the subject of the *khurreeta*. He dwelt long on the nature of the corroborative evidence, concluding that there was none whatever. He alluded to remarks made prior to the trial that no legal squabbles, no technicalities would occur. He said that these very technicalities formed the bulworks of a free country, and were the means of sifting the truth. He alluded to the manner in which the Gaekwar has been treated with regard to property, quoting Sir L. Pelly's expression "attached," and said those who had done so would be held responsible. He applauded the Viceroy's movement in the matter, and regretted the manner in which the Viceroy's wishes had been carried out. He pronounced Mr. Scoble's speech for the prosecution as careful and temperate : but there was one great omission—regarding the motive for the Gaekwar's alleged conduct. He dwelt long on this important omission, and summarized generally the evidence of Rowjee, Nursoo, and Damodhur Punt, and shewed it to be unconfirmed, and being that of accomplices, it was inadmissible. He said he was going to shew how the arsenic in the belt episode was got up, and would astonish the Commission when discussing that point. He characterized Colonel Phayre's conduct during the time allowed by the Viceroy for the Gaekwar's reform as eminently indiscreet. He pronounced Colonel Phayre thoroughly unfit for the delicate nature of the appointment at that time. He dwelt long on Colonel Phayre's suspecious nature, and shewed how Bapoo Poonika, his right-hand man, worked upon him. Reviewing the whole case, there existed no substantial real intention to poison Colonel Phayre. Regarding the metallic ring he said his previous acquaintance with poisoning cases shewed that the metallic ring was not always absolutely conclusive.

He will review the evidence on Monday.

He spoke for 3½ hours, and amused the Commission by allusions to premature opinions being passed on the Baroda case, particularly among ladies.

Bombay 13th March.—Serjeant Ballantine put in a statement of the Gaekwar in Mahratti, stating that he had no personal enmity towards Colonel Phayre. Politically, Colonel Phayre rendered reform of the State impossible. The Gaekwar, therefore, sent the *khurreetta* asking his removal ; and firmly believed, as did his ministers, that the Resident would be removed. This conviction was strengthened by the knowledge fast [? acknowledged fact] that Colonel Phayre had once been censured by Government already. That *khurreetta* was sent through Colonel Phayre himself ; and in spite of his remonstrances the Resident was consequently recalled. There was, therefore, neither personal nor political motive for the four crimes imputed. He never bribed the servants of the Residency to get secrets, and he denied the statements of the ayah and others on this point. He said nothing about presents on occasions of general rejoicings, such as marriages, or of mutual interchange of news between the servants ; but personally he entered into no relations with the Residency servants. In conclusion, he expressed entire confidence in the Commission. Serjeant Ballantine then addressed the Commission. He said this was a more [mere] groundless charge. He spoke till 2-20 when an adjournment was granted. He spoke of the entire fairness of the Commission and the courtesy of Mr. Scoble ; made feeling reference to the position of the Gaekwar, who was surrounded by enemies, and of Colonel Phayre's constant communication with Poonak, his deadliest enemy. Consequently he was driven to appeal to the Viceroy for Colonel Phayre's removal. If conspiring to poison, he would not have sent the *Khurreeta*, but would have appeared outwardly friendly. The group of perjurers, who charged the Gaekwar, were not corroborated on a single point, by a witness who was not a malefactor, but Rowjee was distinctly contradicted by Pedro, whose undoubted testimony destroyed the whole fabric of Rowjee's inventions.

SEVENTEENTH DAY.

March 15th, 15h. 50m.—Serjeant Ballantine continued the defence at eleven this morning. He alluded first with surprise to Mr. Souter's selecting Gujanan, Wittul, Akbar, and Abdul Ally, after the opinion expressed regarding them by Mr. Justice West of Bombay, during the Koth succession case. The witnesses were all taken to Mr. Souter to have their statements taken down by him after having previously undergone, at the hands of Akbar Ally and other policemen, complete manipulation subservient to their purposes. Narrated the regular course of torture the witnesses were subjected to, the result of which was abject terror, and of course willingness to utter anything the police dictated. Narrated the system of torture to which Damoodhur was subjected. First he was arrested; then a military guard was placed over him for seventeen days; then again the police, and then he was taken to make a statement to Mr. Souter with a previous knowledge of Rowjee's and Nursoo's statements regarding poisons. Pardon was promised by Sir L. Pelly with a conditional equivalent to—if we succeed the result will be all right: if we dont, you will bear the consequences. Regarding Dhamoodhur Punt's evidence, Serjeant Ballantine contended that according to law and common sense no evidence had been adduced that arsenic or diamond dust had been purchased on the Gaekwar's account. On the contrary, Dhamoodhur Punt, if charged by the Gaekwar with falsification and embezzlement, retained in his own hands damnatory evidence of guilt. He suggested the greater likelihood of Dhamoodhur Punt's poisoning Colonel Phayre, as the letter forbad him visiting the Residency and treated him as a scoundrel. He clearly shewed that the books and evidence condemn Dhamoodhur Punt's evidence altogether. Being accused, Dhamoodhur Punt, while admitting his own guilt, accused the Gaekwar. He pointed to direct contradictions not only in the evidence of Faichund, but also in that of Manajee Wittul and of Dhamoodhur Punt.

March 15th 19h. 52m.—Serjeant Ballantine pointed out how Dhamoodhur Punt's clerk contradicted flatly, Dhamoodhur Punt's own statement who made obliterations. Contended that no reasonable man could allow evidence like Dhamoodhur Punt's to convict the Gaekwar. After the adjournment he resumed and reviewed in detail Rowjee's evidence, saying it consisted of a series of improbabilities, inconsistencies and contradictions and ought to be a laughing stock to all honest and impartial Judges whose object would be justice instead of hunting down from a throne an injured and calumniated Prince; he narrated humorously an Episode of Colonel Phayre's boil and Rowjee's belt and excited even Presidents laughter by the quaint episode of Rowjee's boil on the stomach, caused by carrying a phial and his narration of how Dr. Gray was taken in. He then spoke in strong terms against Mr. Souter's wanton carelessness, and openly charged Akbar Ally with having put a pocket of arsenic in Rowjee's belt. The court rose at four. Serjeant Ballantine promised to conclude his speech to-morrow afternoon. Sir Dinkur Rao arranged to leave for Bombay, by the mail train on Wednesday morning Jeypore leaves on Thursday by special. Scindiah has ordered a special for Friday, and intends visiting Ahmedabad. The defence calls no witnesses.

EIGHTEENTH DAY.

Bombay 16th March.—The Gaekwar was present. Serjeant Ballantine resumed his speech, lengthily analyzing the evidence, he showed the last payment to the Residency servants was in July. The police had manipulated witnesses and without applying physical torture had effectually terrified and compelled them to say what they wished. Dhamoodhur's story was unconfirmed by a scrap of the Gaekwar's witting or uncorrupt witness, as the falsified accounts stood, they would prove that Dhamoodhur embezzled his master's money. He knew Colonel Phayre wanted to overhaul the palace, servants therefore had a motive for getting arsenic in order to be rid of Colonel Phayre he was contradicted relative to the purchase of poisons, and states he put snake poison into an attar bottle. Rowjee swore he threw that poison away and used the bottle to shake up arsenic and water before administering, Rowjee never mentioned bottle till he heard Dhamoodhur had mentioned it, he then mentioned it as if it could be used to mix poison. Really had no appreciable space inside. Poison in Rowjee's belt was placed by the police who discovered it. The court adjourned, defence concludes to-morrow.

Baroda, 16th March, 17h. 30m. Serjeant Ballantine concluded the defence to-day at two o'clock. He completed his review of Rowjee's evidence, dwelling at length on the discrepancy in the evidence of Colonel Phayre, Rowjee and Dr. Seward regarding the colour of the powder administered, and the sediment. Alluding, to the pardon promised he said it amounted to advancement. Besides if witnesses succeeded in the result. He dwelt long on Colonel Phayre's evidence, maintaining that it showed a decided predisposition throughout on the part of that gentleman to suspect poison. He read through the greater part making comments. Spoke in following words regarding a Bombay contemporary :—"I defy those who have called His Highness by the harshest names, who have published to the world to their own disgrace, in papers circulated through the country, terms of approorium and heaped upon him day by day, hour by hour, the vilest terms, anticipating the decision of this tribunal, before whom he was tried ; to lead that tribunal to forget the duty they owe to themselves and the Maharajah, by falsely representing matters. Had such a thing been done in an English Newspaper, the man would have been heaped with obloquy down to the end of his days. It is with indignation I have read the words uttered by that unhappy man, and my blood boiled. Living in a country where there is a free press, and an upright and honorable press, I know that the man would have been hunted down with infamy, and singled out as a wretch who would have written as this paper has done; heaped sentence upon sentence and written the words that have been written. I am told that the paper is one of the most influential and widely circulated papers in this country. I say again that there has never been one single act exhibited by His Highness to indicate that he was guilty of the crime which has been laid to his charge." The commission adjourned ; after which Mr. Scoble commenced his reply. He refuted with indignation the character given of the police. Gave a short account of each member. Maintained that the case of the prosecution was unshaken. Eulogized Serjeant Ballantine's handling of the case, introducing sympathy for his client, mannerism and argument. He upheld the course taken by the Government of India. Expressed himself glad that Serjeant Ballantine held a nearly similar view ; but regretted that Serjeant Ballantine did not hesitate over Mr. Souter party vile conspiracy [?] He entered carefully into each point and contended with Serjeant Ballantine regarding the colours of the powder, saying the dark shade might have arisen from the manner in which Colonel Phayre held the tumbler and sediment over a dark table. The Court adjourned at four. Mr. Scoble concludes to-morrow. The Commissioners, will assemble at Bombay next Monday to consider the finding.

Weather unbearingly hot.

NINETEENTH DAY.

Bombay 7th March, 21h. 40m.—Sir L. Pelly, the Gaekwar Sir Dinkur absent. Mr. Scoble recapitulated the evidence at great length showing ample motive existed for the Maharajah to seek to poison Colonel Phayre. He believed Colonel Phayre would prevent the recognition of Luxomibae's son as he had refused to recognise the marriage, and Government sustained his action in this matter, Mr. Scoble denied that at first the servants had no design to kill their master, but only to make him ill, and so get him removed. But the servants being completely in the Maharajah's power though taking money for giving information. Neither Poonekur nor Damoodhur had an interest in poisoning Colonel Phayre. The Gaekwar admitted in his khurreeta that he regarded Colonel Phayre as an uncompromising opponent, and his prosecutor. He did not rely on Mr. Dadabhoy's exertions for Colonel Phayre's removal : for the complaint sent in May was rejected by Government. Pedro's evidence did not discredit Rowjee's. He was commonly spoken of as being in the Maharajah's pay, and he (Mr. Scoble) contended that Rowjee's evidence was quite credible.

TWENTIETH DAY.

18th March.—Gaekwar ; Scindiah, Sir Dinkur absent. The latter left Baroda yesterday. Sir L. Pelly was present. Mr. Scoble continued his recapitulation of the evidence, reviewing the whole matter, he asserted that the witnesses had in the main told the truth; and that the Gaekwar's guilt was established. He concluded by saying it would be the painful duty of the Commission to find him guilty of the four charges. He was not a "persecuted prince" but a criminal worthy of condign punishment. Finally he prayed God that the deliberations of the Commission might be directed to a righteous conclusion. The Commissioners rose in silence and left the court, and the proceedings ended.

LATEST NEWS AND NOTES.

THE TELEGRAPH has brought the melancholy intelligence of the demise of two Indian Generals. Sir Patrick Grant and Sir William Gomm are dead. The first was Commander-in-Chief of Madras, and the second Commander-in-Chief of India. Sir Patrick Grant took temporary command of the Indian Army on the outbreak of the Sepoy Mutiny after the death of General Anson. Both were veteran soldiers and distinguished in their career.

MR. E. C. BAYLEY retires from the Vice-Chancellorship of the Calcutta University, having been twice re-appointed to that high office. He is not a brilliant man, and rather conservative in his tendencies. He took however great interest in his work, and did his best to maintain the dignity of the University. His tenure of office was distinguished by two pitched battles, which the University fought successfully with the Lieutenant Governors of Bengal and the North Western Provinces. We are glad to observe that Mr. Hobhouse has been appointed his successor. He is a man of ripe scholarship, broad views, and wide sympathies, and we hope he will give a practical turn to University education.

WE ARE sorry to notice that two such important subjects as the improvement of the Bustees and the increase of house assessments failed to attract the Justices of Calcutta to the Special General Meeting convened for Thursday last punctually at the hour appointed. The quorum required was 25, but there were only 20 Justices present, and the meeting was consequently adjourned to Wednesday next. This was simply disgraceful. If the Justices will not do their duty, what right have they to complain? We trust that they will be punctual at the next meeting. We may remind them that whole Calcutta is deeply interested in a satisfactory settlement of the questions under notice.

WE ARE glad to observe that the agitation made against the arbitrary assessment of houses in Calcutta has already begun to bear fruit. Since Monday last the Chairman and Vice-Chairman have ceased to sit in the Board for the hearing of assessment appeals, and from that day we do not hear so much complaint as before about these appeals. But we cannot help asking whether the Assessor is proceeding on any definite principle in revising the assessment. The general complaint is that the value of house-property in town has greatly fallen, and yet this time is selected for an increase of assessment. Where there have been additions and alterations made, or where there has been gross under-assessment, it is fair and equitable that the assessment should be revised and increased, and there have been cases of this kind. But a wholesale increase is capricious, arbitrary, and unjustifiable. The principle on which assessment is to be made under the law is the reasonable letting value of the house, and we challenge any person to say that the dwelling-houses in the native town can even in all cases produce what they are assessed at, and yet it is sought to increase the assessment. We hope the Justices will remember that the size or description of a dwelling-house is not a fair criterion of its letting-value; the rent is regulated by the means and circumstances of the community, which seek house accommodation, in other words the maret rate.

HIS EXCELLENCY the Viceroy arrived at Delhi on the 17th instant. Both His Excellency's reception and the Elephant Procession were a grand success. The following princes and chiefs have assembled at Delhi to do honor to the Viceroy: Maharajah of Patiala, Nawab of Bhawulpur, Rajah of Jhind, Rajah of Nabha, Maharaja of Kerowlie, Maharaja of Bhurtpore, Maharaja of Ulwar, Rajah of Shahpura, Rajah of Mandi, Nawab of Malair Kotla, Rajah of Faridkote, Rajah of Chamba, Sirdar of Kulsia, Nawab of Patowdi, Nawab of Loharu, Nawab of Dejana, and Raja of Guleria. The native residents of Delhi are making great demonstrations of loyalty and respect. We trust the opportunity has not been thrown away by the Viceroy for occupying the peacock throne of the Great Mogul, and thus addressing the imagination of the people of the imperial city of many historical associations and traditional glory.

WE ARE requested to publish the following letter:—

MY DEAR MAHENDRA.—
I have much pleasure in subscribing to the proposed Science Association. You can put me down for Rs. 1,000. When do you propose making a start? Like Mr. Snodgrass in Pickwick you are every day "going to commence!"

Affectionately Your's,
O. C. DUTT.

The 20th March 1875.
To
DR. MAHENDRALALA SIRCAR,

Babu Omesh Chunder Dutt has done an honor to the Dutt Family by coming forward so liberally in the cause of the advancement of Science in India.

SOME ugly rumours have been in the air since last week. The *Times of India* publishes the following telegram:

"*Lucknow March* 12.—On the 6th March in the afternoon, the native troops at Fyzabad attempted the seizure of the midday gun, placed before the European barracks; but the European soldiers turned out in force, and disarmed the entire native regiment. The cause is not publicly known, and the military authorities are reticent, but it is supposed that the outbreak was planned for the 2nd (*Holee*), and that this attempt was premature. The European families flew to the main guard for protection, and continued there for four or five hours."

Another version is this:

"Under the command of a subadar some of the men of the 8th Native Infantry attacked a village with whose inhabitants they had a quarrel. The English Royal Horse Artillery made for their guns, and a line regiment got under arms. There was, however, no conflict between the troops, the rioters being peaceably arrested."

The *Englishman* publishes the following telegrams:

"A boundary dispute has arisen between the Governments of India and Burmah. Troops will be immediately despatched from Madras to make a demonstration on the frontier. A British Regiment will form part of the force. Sir Douglas Forsyth has been appointed to proceed to Burmah forthwith and determine the line which must henceforward define the territorial limits of upper and British Burmah between the River Salween and the hills which form its western watershed.

It is said that the Nagas are resolved on doing battle with the troops under Colonel Nuttall. Lemar is reported to have been stockaded, it is added that ten other villages have formed an alliance against the invaders,

The same paper has the following telegram from Lahore:

Lahore, March 18.—The Turckomans are said to be pleased at the Governor Tashkhend permitting them to enlist in the Russian army. It is stated that the Russians are collecting magazine stores, &c., in view of attacking Yarkand. The frontier correspondent of the Lahore papers stated that the Russians are preparing to make an attack on Yarkand, and have collected ammunition of war for that purpose.

Our Government is in alliance with Yarkand, the Amir of which may expect assistance from it.

A MYSTERIOUS CASE was lately instituted in the Police Court of Calcutta at the instance of Government. The Mir Munshi of the Foreign Office, and another native, Sham Ghurn Chatterjea, were charged with offering illegal gratification to Dr. Moir of Alipore. The Magistrate remarked that "no legal offence had been absolutely disclosed. He would, therefore, discharge the defendants, though, at the same time their conduct was more than open to suspicion." It is mysterious that an experienced officer like the Mir Munshi of the Foreign Office should be charged with such an offence as that of offering illegal gratification to an European officer.

ON MONDAY last a deputation of certain mercantile gentlemen of Calcutta waited upon His Excellency the Viceroy "to represent the injurious effects of the Hughli Bridge Act on commercial interests generally, and more especially on the transit of coal." The deputation contended that to levy a uniform rate on articles of great bulk and small value, and on articles of small bulk and great value, was opposed to all accepted principles of taxation; and not only so, but that the tax falls indiscriminately upon merchandize which needs the aid of a bridge and utilizes it, as well as upon merchandize which does not require it, and is dependent upon other means of conveyance.

"His Excellency the Viceroy, in reply, said that he had conferred with the Lieutenant-Governor of Bengal on the subject, and agreed with Sir Richard Temple that sufficient time had not elapsed for the full development of the traffic, or for altering the tariff rates agreed upon after much discussion and consideration by the Lagislature. It was the desire of the Government of India to have the bridge free from tolls altogether: but as the local authorities had considered it advisable to put in force Sections 3 and 4 of the Act, they (the Government of India) were not prepared to recommend any change at present, but would watch closely the working of the Act, as it was quite apparent that certain anomalies did exist, which it be well to rectify.

Mr. Robinson informed His Excellency that he was a member of the Bengal Council at the time the Act was passed, and he could assure his Lordship that no discussion took place in Council, and the protests of the mercantile members against the proposed system of arbitrary taxation were quite disregarded."

We sympathize with the representation made by the Deputation, but we must confess that we are somewhat surprised that Mr. Robinson should have urged as an argument in support of the prayer of the Deputation that the schedule of tolls was not discussed in Council when the Bridge Act was passed. He was then in Council, and if he had felt any objection, why did he not state it openly? There was nothing to prevent his doing so. Unfortunately the European public have lost their old public spirit. They take no interest in public measures whilst the same are under deliberation, but cry out when they have passed the pale of discussion, and when it is too late to mend them

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THE LAST *Calcutta Gazette* contains the Bengal Budget for 1875-76. We give the statement below:

	Receipts. Estimate for 1875-76. £	Receipts. Estimates for 1874-75. £	Charges. Estimate for 1875-76. £	Charges. Estimate. for 1874-75. £
Opening balance ..	468	6,347		
Allotment from Imperial revenues ...	1,104,100	1,104,800		
Jails ...	95,725	95,093	172,884	167,600
Registration ..	54,100	48,600	46,810	33,660
Police ...	6,895	5,837	418,339	410,877
Education ...	47,180	46,880	261,401	254,712
Medical ...	15,940	16,659	143,272	129,236
Printing ...	5,789	5,479	37,760	35,552
Miscellaneous ...	9,100	6,757	46,122	34,089
Public Works ...	7,000	10,000	257,100	296,400
Contribution from Provincial Reserve	50,901	11,400		
Petty construction and repairs ..			6,340	6,389
Rent, rates, & taxes				
Total	1.408,198	1,387,852	1,408,193	1,387,384
Closing balance			Nil	468
Total			1,408,198	1,387,852

The result is that the charges of the year will absorb the entire provincial receipts, as well as the small opening balance of £468. This, however we are told, is a mere matter of account, as there is a considerable margin under the head of provincial reserve, which will be available for any special exigencies that may arise. It appears more convenient, instead of keeping one balance under provincial services and another under provincial reserve, to adjust the receipts and expenditure of the several departments of provincial services so as to balance each other, and to keep a single reserve for special or unforeseen expenditure, and for this purpose a grant of £50,901 has been made from the Provincial Reserve Fund to the Provincial Services Budget.

A CORRESPONDENT sends us the following letter from Deoghur dated the 12th instant, regarding the Sonthals:

SIR,—I see it stated in your last issue that the Santhals have collected in a vast number somewhere near Mahespur; I believe such occurrences will continue as long as something is not done to repress their hampered spirit. Santhals as a body have a belief that the Santhal Pargana, as it is so called, is exclusively their own dominion; Dikies (as they call all intruders) have no right to exact rents from them in the capacity of zemindars and their aim, I believe, is to divide all the lands in the Pargana amongst themselves; it has become unbearable to them to see the fat of their Pargana go to outsiders. Since the last two years settlements are going on in the Santhal Pargana, which have resulted in considerable reduction of rent, but they won't be satisfied unless they get the whole of the lands in their hands, subject to a small quit rent to Government, any thing else will tend to make them discontented and emboldened; as it is apparent from the fact that notwithstanding the settlements are being made with special consideration being shewn to them, as a class, they have risen twice within a short space to half a dozen months. To remove their implacable hatred towards the Dikies has become next to impossible. As their eyes have been a little brightened by the light of the British sway; they have begun finding out the fraud which I must confess is sometimes practised upon them by the Dikies; and their utter ignorance, with a spirit of independence, has made them mad after their liberty from the hands of the Dikies. It is apparent, they bear no hostile feeling towards Government, and it is only owing to the awe our Government command

from them from their experience of 1856, that the persons of the Dikes within the Pargana are not touched. However while our Government commands respect and esteem from all parts of its vast dependency, it reflects no discredit upon it to see a very small number of its subjects, compared with the millions, who are quite contented with the Government, grumbling every six months and threatening peace and good order. It is of course undeniable that education is the only and the safest machinery that can be employed by our enlightened Rulers to lessen their savage fanaticism and bring them down to the level of innocent Bengalies; but they have been placed at a great disadvantage in this respect. The Government has placed the Santhal Parganas on the same level with all other districts of Bengal in respect of mass education and the Santhals are so badly off that they live from hand and mouth. I don't think even 2 dozen of Santhal children can be seen attending any school. Even primary schools are above their reach. They cannot get out of the utter darkness unless the Government makes special provision for their education. Even free tuition is not sufficient for them. While our kind Lieutenant Governor has made special provision for the education of the poor whites it is to be hoped, His Honor will take this into his favorable consideration.

B. P. S.

Deoghur 12th March 1875.

It is true that things were coming to a crisis in the Sonthal Pergunnas, but we are glad to learn that the precautionary measures adopted by Sir Richard Temple have averted the danger. The rising which was apprehended on all sides has been prevented, and we believe measures are in progress which will secure justice to both the landlord and tenant. It is superfluous for us to observe that the feeling which is being exhibited in Sonthalisthan is the legitimate outcome of the pampering policy of Sir George Campbell. At the same time we agree with our correspondent that means ought to be taken to educate the Sonthals.

IT IS stated that the Government of Bengal has placed the Sunderbuns forests under the Forest Department and interdicted the removal of forest produce by the public. The result it seems has been at once a rise in the price of fuel wood. We believe a similar embargo was once put by Sir Cecil Beadon, but the inconvenience to the public was so great that it was immediately withdrawn. Again, the Forest products were leased out to the Port Canning Company, but the lease was afterwards cancelled from a similar consideration. Calcutta and the neighbouring places draw fuel wood from the Sunderbuns, and the people who deal in the forest products have a vested right in them. Not only would they be deprived of their means of livelihood, but the people, who are dependent upon the Sunderbuns for the supply of fuel would be put to the greatest hardship and inconvenience if the order of Government be carried out too rigidly. We hope therefore that the Government will exercise due caution and moderation in carrying out this resolution. The forests should certainly be conserved, but at the same time the vested right of the public ought to be respected.

WE HAVE read with great pleasure Sir Richard Temple's minute on the condition of the peasantry of Orissa suggested by a pamphlet by Sir Henry Ricketts entitled "A few words for the poor Ooryas." Sir Richard says:

"The Commissioner of Orissa, who has administered the province for several years, and is intimately acquainted with the condition of the people, bears testimony to this change in very forcible and noteworthy language. In his last annual report, submitted in August 1874, the Commissioner writes as follows regarding the Cuttack district:—

Among both landed proprietors and peasants there is a decided tendency towards a better state of affairs, and better knowledge of their respective rights and duties is fast gaining ground. Taking the country generally, I can state from personal observation and the result of many years local experience, that there is marked and material improvement in the general condition of the population. There is more knowledge and education among the masses; more trade and money in circulation; more employment at high wages for the laborer; more moving to and from the country; less stagnation, and a decided tendency to enlightenment and progress. There are more markets, more shops, and a brisk and growing export and import trade: all these items indicate undoubted general improvement in the people's condition with which we ought to be satisfied."

I am to observe that these remarks have significance when it is remembered that Mr. Ravenshaw, the officer who records them, was Commissioner of the province in 1871 when it was thought that the oppressions of the zemindars and the helplessness of the ryots were such as to call for special interference on the part of the Executive Government. They would seem to show that the improvement which it was the object of that interference to secure, is being gradually attained.

Other passages of Mr. Ravenshaw's report are of the same tendency as the extract quoted above. He notices that the old prejudice against a sea voyage is fast disappearing; that the steamers between Calcutta and Chandbally find a largely increasing passenger traffic; that the value of exports from Orissa rose in one year from Rs. 14,16,170 to Rs. 30,07,175, and of the imports from Rs. 11,74,994 to Rs. 28,91,288; and that though some of this was due to activity in the grain trade induced by famine in Bengal, the major part of the increase is permanent. The area for which irrigation leases were taken was nearly treble of that in the previous year, and the current year 1874-75 has shown a still further increase."

Sir Richard Temple visited Orissa last year, and he thus sums up his personal impressions:

"It was Sir Richard Temple's opinion after that visit that the province had fully recovered from the calamities of the famine: that both ryots and zemindars were better off than they had ever been before: that in a financial point of view the irrigation works would be eventually, though not speedily, successful: that the maritime trade was already considerable, and would be much further developed: that the zemindars and landholders were disposed to encourage the taking of canal water by their ryots: that there was some old tenant-right existing and some new tenant-right springing up with the tacit consent of the zemindars: that the law protected the ryots from unjust enhancements: that the ryots were not so backward as formerly to avail themselves of that protection, and there was no disposition on the part of the zemindars generally to subject their tenants to illegal exactions. It will be seen that these conclusions are entirely in accord with the opinions expressed in the Commissioner's annual report."

Accordingly Sir Richard says that "the Government of Bengal has no intention of recommending any exceptional measures against the zemindars, or any interference with the current settlement."

THE VERNACULAR PRESS.

The *Bicharuk*, a new Anglo-vernacular weekly, suggests that in all fairness a Commission ought to assemble to investigate the conduct of Col. Phayre during his incumbency as Resident at Baroda. "We assume, says the editor, that the Gaekwar attempted to poison Col. Phayre but the question is what amount of persecution must have driven a chief of the rank of the Gaekwar to commit himself to such a deed. Is it not a matter of intolerable annoyance that the princes and chiefs of India should be the victims of harassment at the hands of such comparatively inferior British officers as the Residents. As to the dissatisfaction of the people of Baroda with the conduct of their prince, about which so much noise was made, the recent popular manifestations in behalf of the Gaekwar bear testimony to the contrary.

With reference to the present conduct of the Police whether at the Presidency or in the Mofussil the *Probhat Sumeer* observes that except for extorting money from the people and persecuting them, the police literally serve no useful purpose. The writer is of opinion that the local community should have some control over the Police.

The *Saptahik Samachar* urges the people of the Hooghly district to honor Mr Pellew their inestimable Magistrate with an address on his approaching departure for Europe. The virtues for which this reward has been deserved are enunciated to be, his profound discovery of the great truth that from the fact of the English-knowing natives not prostrating themselves before Europeans they betray a sad want of manners, that he was a great friend of the poor and helpless as proved by his conduct during the late scarcity. It was the extravagant and thoughtless Lord Northbrook who invited the famine to the Hooghly district where according to Mr. Pellew there was none. His sympathy for the people was also evidenced by his profound ignorance of the extent to which the epidemic fever was raging in the district and the places visited by it. His eyes remaining brimful of tears on account of the sufferings of the people prevented his seeing the gaunt figure of the monster epidemic. Though well aware of the fact that some zemindars are oppressive and are in the habit of involving their ryots in false litigation, his sympathy for those only is great who have suffered in their endeavours, to conserve their estate.

The *Samaj Durpun* says that hitherto the zemindars had their enemies amongst the public, now one of their own body has set himself up against them. A zemindar of Boinchee has proposed that when a ryot has to sue his zemindar for redress of his grievances, the law expenses would paid out of his zemindary funds. This zemindar is childless and it is reported that he proposes to lay out a part of his fortune in acts of benevolence like the one we have indicated. Philosophers say that childless men are destitute of fellow-feeling.

The *Sahachar* makes two suggestions for putting a stop to the oppressions of the zemindars. First division of the zemindaries into small holdings, second, submission to the collector annually the papers known as the Jama wasil Baki papers.

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Advertisements.

BIRTH.—At Agra. On Sundy, the 14th March, the wife of Babu Tarachaund Mookerjea, Customs, of a son. (81)

Notice.

The Annual Meeting of the Governors and Subscribers of the Mayo Native Hospital will be held at the Hospital Building Strand Road on Thursday the 25th instant at 5-15 P. M.

By order of the Governors,
J. HINDER,
Secretary Mayo Native Hospital.

Calcutta Mayo Native Hospital } (82)
17th March 1875. }

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CAPTAIN R. C. MONEY,
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Julpigori, }
The 11th March 1875. } (83)

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"That the Articles of Association of this Company be amended by substituting the numbers "6 and 3" for the numbers "10 and 5" in clause 4. and by substituting "Rupees 1,200" "for Rs. 850" in the 4th paragraph of clause 98."

M. RUSTOMJEE,
Managing Director.

CALCUTTA, 19*th March* 1875. (80)

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The Editor has spared no pains to make it interesting. *Hindoo Patriot.* (5)

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SUPPLEMENT TO

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CALCUTTA :—MONDAY, MARCH 22, 1875.

LAW INTELLIGENCE.

HIGH COURT.

CRIMINAL APPELLATE JURISDICTION,

The 18th February 1875.

Before

The Honorable J. B. PHEAR & The Honorable G. G. MORRIS

The Queen, *Vs.*—(1) Anund Chunder Sikdar, (2) Amirud din Mondle, (3) Jitoo Sheikh, (4) Biswo Nath Pramanick and (5) Madhu Mondle.—*Appellants.*

Committed by W. R. Davies Esq., Deputy Magistrate of Goalundo, and tried by J. Tweedie Esq., Officiating Additional Sessions Judge of Furreedpore.

Mr. M. Ghose and *Baboo Bhuban Mohun Das* for the Appellants.

Baboo Jugdanund Mookerjea, Government Pleader, for the Crown.

Phear J.—The Sessions Judge has found the 4 prisoners Amiruddin, Jitu, Madhub, and Bishwanath Pramanick guilty of the murder of one Chunder Mundle, and sentenced them to transportation for life. He has also found the prisoner Anund Chunder Sikdar guilty of bringing a false charge of murder of the said Chunder Mundle, against Shadoo Biswas and others, and sentenced him to rigorous imprisonment for 5 years.

The Assessors differing from the Sessions Judge and considering the evidence for the prosecution to be unworthy of credit, have given a verdict of not guilty and would acquit all the prisoners.

The case of the prosecution is, that between Sadu Biswas and the Sikdars of whom the prisoner Anundo Chunder Sikdar is a principal, a long standing feud exists; that in August 1874 Anundo Chunder Sikdar was on the point of ruin, all his landed property having been mortgaged to Sadu Biswas, and his homestead being under attachment and about to be sold in execution of a money decree which Sadu Biswas had obtained against him, and that in consequence of this enmity, the prisoners in concert with many others unknown, put one Chunder Mundul to death on the night of the 21st August as he was sleeping in the verandah of the house of Indro Sikdar, which adjoins that of Anund Chunder Sikdar, and that the next day Anundo Chunder Sikdar went to Thannah Pangsa and laid an information against Sadu Biswas and others charging them with the murder of Chunder Mundle. The details of this information may be referred to hereafter; for the moment it is enough to say that in substance it was a complaint to the effect that Sadu Biswas and his companions had come early that morning in force to a certain field of his, Anundo Sikdar's, and begun to cut and remove the Paddy; that he in company with Biswanath Mundle, the tenant of the field, and Chunder Mundle, a connection of his by marriage, went to the spot and remonstrated with them and on Chunder Mundle seizing a bundle of Paddy and endeavouring to prevent its removal, they, by order of Sadu Biswas and his brother Dhonai Biswas fell upon him with spears and latties and killed him.

Towards making out this case, four witnesses are called to prove that Chunder Mundle was killed at night in the verandah of the house of Indro Sikdar. Of these two Dookhoo and Kristomoney are low caste women, sweepers in the employ of Indro Sikdar and Adoo Sikdar who live in the same homestead. The other two Manick Sheikh and Toki are boatmen, partners of Indro Sikdar in small trading ventures. In her examination in chief, Dookhu testified as follows: "I worked beside Indro Sikdar from last Bhadro. I gave up his service from fear arising from a murder; when 1½ prohar night remained I was sleeping and was awakened by a groan, I was in another house. The noise was, I cant say where. Under Sikdar's Verandah I saw some men; saw a body, dead body, *i. e.*, something carried like a dead body, carried to a house behind Indro Sikdar's house. Recognized all the accused present; named and pointed out. Saw a lattee in Amiruddin's hand and a spear in Madhub's. Then I went asleep and left for my house early in the morning. Returned to Indro Sikdar's house sometimes afterwards; (my house is in the same village as the Sikdar's) Adoo Sikdar's mother gave me an order in execution of which I refused to clear up some blood; I saw the blood which I was required to clear up; it was on the *pira* of the south doored house and below it in the yard."

"I was sleeping along with a Boistumee. Before turning into sleep I saw Madhub and another unknown person going to sleep in another Verandah i.e. the south-facing Verandah of the same house."

It is not easy to conceive testimony much more unsatisfactory for its purpose than this is. There is no specification of facts actually observed. The witness speaks with complete generality. She was awakened strangely enough by the hearing of a single groan; she saw, she does not say by what by what light, all the accused persons present *i. e.* ten men so well, as to be able to recognize each of them. She saw a lattee in the hand of Amiruddin and a spear in that of Madhub—two very significant circumstances, regard being had to the story of the prosecution as it eventually turned out. And yet she saw nothing more than this; and she was so little afraid or alarmed witnessing this remarkable scene that she quietly turned round and went to sleep. Again, it is noteworthy with reference to the other evidence in the case, that according to this witness Adoo Sikdar's mother gave her some order in consequence of which she refused to clean up some blood. This blood she saw just on the "*pira*" of the south doored house and below it in the yard.

In cross-examination she throws no further light on the murder. She says: "I did not enquire and never did enquire whose blood it was. I did not recognize whose body it was. I did not notice the clothing of the dead body. I could not make out the coversation of the people in the house. They spoke low. I heard a sound of "Ah" and a little while after the body was carried out. I did not go anywhere in order to see the dead body carried. I saw from where I lay. I did not discuss the matter with Kristomony. I and Kristomony slept on one bed but Kristomony did not speak to me about it. I did not tell the Darogah what I had seen. On the morning after I saw the dead body I heard no row about cutting Dhan. Heard nothing about Sadhu Biswas or any case against him. *Heard the day before I saw the corpse that there would be "Kazia" or dispute with Sahu Biswas about cutting of Dhan.*"

Kristomony the woman mentioned by this witness in her examination-in-chief, speaks in equally vague terms of the supposed murder. She says: "I served with Adoo Sikdar. I know Indro Sikdar; his house is the same as Adoo Sikdar and Harish Sikdar's. I know Dokhoo. She and I were servants together of Indro Sikdar; we worked together but under different sharers. Left in Bhadro month, 7 days or so having gone, because a man was murdered. I was sleeping in the "*pira*" of the north doored house. I was not alone, my child and Dookoo were with me. Saw, after hearing a noise of "Ah," men on the Verandah and below, passing, some ten or twelve cubits from me; (names and identifies all persons in the dock; names many others). They, that is four were carrying something like a dead body towards the rear of the house. Noticed a *lattee* in Amiruddin's hands and a *shurkee* in Madhab's hand. Besides these four, the others were standing there; they did not accompany the corpse, but went hither and thither."

So that Kristomony saw exactly what Dookoo saw, and no more; and she is just as general in her description of what she saw as Dookoo was of what she saw; and curiously enough, these two women lying on the same bed were according to Dookoo not sufficiently interested in the mysterious spectacle which they had witnessed even to talk to each other about it. In cross examination Kristomony states that she told the Brahmin Darogah what she had seen that night, but that he did not write what she told him. She admits that she said to the Magistrate, "I was not examined by the Darogah," but explains, "I meant that the Darogah did not believe me." She adds, "I am living in Haro Biswas's house (*i. e.* in the house of the Sadu Biswas's Gomushta) Dookoo and I had discussion as to what the disturbance was about. We did not enquire as to whose body it was; we both went away in the morning." This is a qualified contradiction of Dookoo's statement, that they said nothing to each other, which is almost more incredible than the silence.

Manick Sheikh gives the following account: "I used to be a boatman trader (*beraitam*) sharer with another man viz., with Sikdar *i. e.* Adoo Sikdar, I abandoned the work, because there was a murder." It caused me to leave, because of fear. I saw the murder committed; further explains:—"did not see the man actually struck: I was on my boat when one *prohar* or one-half of the night remained, I heard a groan; I debarked along with one Toki and went to a *bari* viz., Sikdar's *bari*: saw that on the *pira* one man was lying above and other persons were there, some on the *pira* some down below. The *pira* or rather homestead was, say 20 haths from my boat." He then names 14 persons whom he saw and adds. "There were more whom I cannot name. These men were first making *golmal* or *phoos phoos*. Then Peari Sikdar drove me and Toke away; in the morning we heard a noise going on—we left our boat and went away home."

If the story told by the two women of the facts which they profess to be witnesses of, has little appearance of reality, it seems to us that this has even less. That this man and his companion sleeping in their boat, should have been alarmed by a single groan and then should have gone alone to the place where the murder had been just committed, in fact was just in the course of being carried out, and behaved in the way in which this witness says that he and Toki did behave, is really quite beyond belief. He gets there even before the moment when the women were waked up, because he is on the spot in time enough to see the body still lying in the Verandah while the first thing that the women saw was the body being carried away. Yet both these men and the women had their attention just excited by the groan. In cross-examination, he says: "We were awake. When we first heard the noise. "Ah" Toki also was awoke on going to the house we made no enquiries as to the cause of the noise nor who he was who was lying there nor any other subject, e. g. why so many people were assembled at that hour. Peari drove us away saying. Go away to your boat, Why do you come here "*haramzadah.*" I and Toki had no further discussion or conversation about the matter. We left Patta after this at once, walking, leaving the boat at dawn, went home. Toki lives in the same place Hariadanga Chur; told no one that day what we had seen, nor next day; never told the Darogah at all. Before telling the Saheb of what I had seen, I never told any one; my father and mother live in my house. I did not tell them. I did not know on leaving Patta that any man had been murdered. Can't remember whether the body was or was not clothed; did not know whether the man was alive or dead or sleeping or what."

Toki furnishes even fewer particulars in his examination in chief than Manick. He simply says: "At 1½ prohar of the night remaining I heard a noise and rose. Two men only had slept in the boat: I and Manic. We went from our boat to the Bari of Sikdar "saw one man lying in the south-doored Verandah: others were present talking in low terms." He then names 14 persons whom he recognized and continues: "I remained there a short time, then was driven away by Peary Sikdar. Can't say what each of the persons present was doing, some were standing, some sitting. Amiruddin had a lattee in his hand. Madhub had a spear; on returning to our boat we heard a noise in the morning in the village. We therefore departed for our house together." In cross examination he adds: "We were awake on the morning of the murder; did not ask any one at the Sikdar's house, what noise &c. were about. I and Manick did not discuss the matter between us. Can't say if the man who was lying down had on clothes or not).

"The noise was one noise of "Ah" which we heard and conversation. In the morning the noise increased. We did not go there a second time, nor did we enquire about it. We left Patta, because of all these disturbances and fear for ourselves. So we fled. We did not know what the disturbance was about and did not afterwards hear that there had been a murder."

It is not too much to say that these witnesses are certainly not telling the whole truth, if they are telling any truth at all. It appears however on their own showing that these two boatmen know nothing whatever about the murder of Chunder Mundle, and they do not in any away incriminate the prisoners in any act of violence or indeed in any action at all; nor does the evidence of the two women amount to more than this, that they woke in the night hearing a sound of "Ah" and that they saw something like the body of a dead man being carried away. One of them, as has also been pointed out, was asked to wash up some blood which was lying in the Verandah of the south-doored house, and in the yard, but refused to do so.

This is the whole of the case of the prosecution so far as regards the factum of the murder. The next two witnesses are Maloo Sheikh and Onath Bhooimali. They testify to a different set of facts. Maloo Sheikh says he was called early in the morning before sun-rise, to the house of the Sikdars and asked to remove the dead body of Chunder Mundle lying there. On his refusing to do so, three persons whom he named, of whom the prisoner Jetoo is one, carried it to the house of Anund Chunder Sikdar. He goes on to say that he then went wih a number of men to the *mat*. That paddy was cut here and there and a sham riot was enacted. The prisoner Madhub was carried as a dead body (across a certain Dhoba's homestead) and deposited under a Bur tree to the south, while Bishwanath Mundle sprinkled blood from a Handy between the field and the house of Anund Chunder Sikdar. The witness Onath also speaks to the sham riot at 2 or 4 dunds of day, the carrying of Madhub to the Bur tree, and the sprinkling of blood by Bishwanath; but he adds that afterwards he was taken to the Sikdar's house and requested by Peari Sikdar to clear up marks of blood on and below the Verandah of the south facing house.

Two other witnesses Ram Sundar Guho and Head constable Ram Chunder Nag were examined apparently to prove that Anund Chunder Sikdar came quite early in the morning and not at 12 o'clock, as reported in the Police diaries to the Thannah to lay his information against Sadu Biswas and others. Ram Sundar says that he saw Anund Chunder Sikdar at the Basha of Mohesh Bose Head Constable of Pangsah Thanna at 6 dunds of the morning, that he Anund Chunder Sikdar stayed there 1 dund and then went with Ram Nag Head Constable to the Thannah. Ram Nag confirms this himself saying: "I know Anund Sikdar, I saw him give his deposition at the Thannah on the 22nd August." He came first of all to my Basha at 9 or 9½ A. M.; but manifestly if these two witnesses speak the truth the preceding two witnesses must have spoken falsely; for as Pangsha is admittedly not less than 4 hour's journey from Pattah, the scene of occurrence, Maloo and Onath could not possibly have seen Anund Chunder Sikdar taking part in a sham riot &c. at Patta between 2 and 4 daunds of the day. And we may say that the whole bearing of the evidence furnished by the Police diary and otherwise which we shall probably refer to presently, tends to prove satisfactorily that the information was really given at 12 o'clock and not at the earlier hour, which was supposed by the Judge. The evidence which has just been recounted with the exception of certain confessions which will presently be treated of separately, constitutes the entire evidence of the facts of the occurrence. The District Superintendent of Police and Raj Chunder Bose Sub-Inspector of Pangsha Thanna as also the Deputy Magistrate, who was the Committing Officer, have been examined at considerable length; but they are able to speak to few, if any, facts coming within their own observation, and tending to throw light upon the murder of Chunder Mundle. Raj Chunder Bose speaks of the condition in which he found the body on the afternoon of the 22nd August and of the state of the ground on which the alleged riot occurred, and in these particulars his evidence is important He says: "I reached Patta at 5 P. M. after food. Patta is about 8 miles from Pangsha. There was mud on the body below the legs. There was cloth tightened as for a struggle (*malkocha*) one part of the cloth was loose; some dhan had been cut. There were marks of many people's feet. I saw no blood near the field saw it in Anundo's house; the whole day on which I went Patta was cloudy, sometimes raining. The Medical Officer also who examined the body on the 23rd August, deposes that there was mud on it here and there, and he describes 5 wounds: One a lacerated wound as of a *lattee* above the forehead and 4 incised wounds as of a spear on the stomach, side and thigh. He attributes death to the wound on the head.

If the case rested here, we think it clear that the charge against the prisoners could not be held to be substantiated. The evidence of the two women, the two boatmen, and the 2 neighbours Maloo and Onath living close to the scene of occurrence is intrinsically weak, contradictory, and incredible. No good reason is assigned for the delay in the production of these persons' testimony. Both Kristomony and Maloo told quite a different story at first to the Daroga from that which they do now in the Sessions Court. Maloo himself

admits this and Kristomony prevaricates so when questioned on this point that no confidence can be placed in her word. Again it is evident that Onath speaks falsely by the manner in which he answers the questions put to him in cross-examination relating to his wife Kamini. She having told the Darogah that the riot on this field, and the killing of a man there, was so far as she had heard the work of Sadu Biswas and his lattials. He says "I did not tell my wife Kamini of this disturbance nor of the cleaning of the blood, I can't say if she gave her deposition before the Police. Kamini has not told me that she gave her deposition to the Police. I cannot say if a Darogah went to my village within the last two months. I saw no Darogah.' If this latter statement be true, Onath must have purposely kept out of the way of the Darogah, for his house lies midway between the house of Anundo Sikdar and the alleged scene of the riot, and he would necessarily have been one of the first to be examined had he remained like his wife on the spot.

We have further to consider the extreme improbability of the story now put forward by these witnesses. We are asked to believe that Chunder Mundle, a young man between 25 and 30 years of age, in the prime of health and strength, is deliberately murdered whilst sleeping as a guest in this house of the Sikdars, in the presence of a large number of men, certainly upwards of 15 for the simple end, that his death might be imputed to Sadoo Biswas and his party. It is a significant fact that Moni Bewa, his aunt, does not charge the Sikdars with his murder. Her account is that a few days previously to the occasion Bishwanath Mundle the tenant of the field on which the alleged riot occurred, came over and secured his services for the Sikdars on the promise of a monthly salary of Rs. 6. This, coupled with the undoubted gathering of armed men at the house of the Sikdars on the night of the 21st August, the existing state of hostility between the Sikdars and Sadoo Biswas, the antecedent expectation of a collision mentioned by Dookoo, the different wounds on the body, the splashing of mud up to the knees and on various parts of the body, the fighting costume in the shape of a tightly girthed Dhote (malkocha) and the evidence that a riot of some sort actually took place on Biswanath Mundle's field lead very significantly to the inference that Chunder Mundle was a hired Lattial of the Sikdars, and that he was killed not by them but in some affray when fighting on their behalf. It is not necessary however, for us to go so far as to affirm judicially that this conclusion is definitely established by evidence in the present case. It suffices to say that it is in a very high degree probable and that certainly the testimony alone of the witnesses for the prosecution fails to establish the secret murder at night of Chunder Mundle in the house of the Sikdars — On the contrary, it is rather such as to favor the supposition that he met his death elsewhere at the hands of other persons and under totally different circumstances. There remains now to consider the so-called confessions of four out of the 5 prisoners; the value of each confession as evidence against the person making it, and the extent to which the confession of each prisoner may be taken into consideration against the other prisoners who are being tried jointly for the same offence.

It was objected before us that regard being had to the circumstances under which the confessions were taken down and the formal defects on the face of the written documents, they were not properly receivable in evidence against the persons severally who were respectively alleged to have made them; and in support of this argument two cases were quoted to us from the reports of the Bombay High Court. But we may say shortly, that we have not found it necessary to decide the question thus raised, because we are of opinion after giving to these confessions the best consideration in our power, that they are intrinsically worthless as evidence against any of the prisoners.

The first of them in order as it stands upon the record is that of Biswanath Pramanick, which appears to have been taken down by the Deputy Magistrate, Mr. Davies, on the 6th September 1874. It runs in these words:—"At midnight on a Friday, 16 or 17 days ago, Peari Ghose, Amiruddin, and Jetu came and took me over from my house to Indro Sikdar's house. I found several assembled there namely Omachurn Biswas, Babun Biswas, Peari Sikdar, Sreenath Mundle, Anund Sikdar, Azim Mundle, Jamal Mundle, Margon Sheikh, Biswanath Mundle and many others. Omachurn Biswas took me over to Harri Sikdar's house, and told me there. 'We must kill a man in order to get on a case against Sadu Biswas.' I refused, saying 'even if I lose my life I cannot do this.' On hearing this he pushed me in Ramindro Sikdar's Bari where there were many others. Some of these went up the Verandah of the house facing the south, where Madhub Mundle was lying asleep, alongside a man. At that time I did not know who this man was. Amirudin pushed Madhub down and then struck the sleeping man a blow on the head with a bamboo lattee. Madhub got up and scared him in the abdomen thigh with a Sarki and Jitu speared him on the right thigh by their order. I held the head of the man after he got the lattee blow. Azimudin put both his knees on the man's breast and squeezed his neck with his hands, Bishwanath held the feet. The man uttered a groan when he was struck, which was heard by two Beparies who were in a boat which was lying moored near the place and they came up, but were told to be off. The corpse was removed from the Verandah to a house in the rear also facing the south—here Bishwanath collected the blood in an earthen vessel. I was not present when the body was removed to another place, for all of us had to go to a field near a Khall, north-east of the Sikdar's house where we commenced shouting and making a *golmal* and some set about cutting Paddy. After a while Madhub Mundle was thrown down; then Sreenath Mundle, Bishwanath Mundle, and Anund Shikdar lifted him up as if he was a corpse and carried him away towards Anundo's house. All this was enacted very early in the morning. Rain was falling at the time; I then went back home which is across the Jona Khall. Three women were sleeping in the opposite house at the time of the murder. One was Kishto Boistomy. The second is a Bhoomalini. I do not know the name of the third." Now the first thing that strikes one and it strikes one very forcibly upon a perusal of this confession is, that it is not a statement of detailed occurrences made by a witness of them, which are such as to fit in with the case of the prosecution, but it is in short, a summary of the entire evidence for the prosecution. We see here as Dookoo had told us that Amiruddin was the man who had the lattee—we also see that Madhub had a Surkie, we also further find that there were two Beparies who were alarmed at the occurrence on hearing the groan, who came up to the place but were sent away by Peary and lastly we are told that there were two women sleeping in the opposite house about whom this honest man was good enough to be ignorant to a certain extent, for he does not know both their names; he only knows that one was Kistomony Bostomi and the other was a Bhoimalini—of course these were the two first witnesses for the prosecution who were brought into Court to make out this case of murder.

Then, we have the confession of Jitoo Sheik. He says: "One evening Peari Sikdar and Omachurn Biswas came and took me, Jamal Mundle and Mangon to Ramindro Sikdar's house and informed that we should have to go on a timber boat. We then slept there; at about 1 prohar to morning we were called up and taken to a Verandah of one of the houses where I found an assembly of people, Peari Ghose, Amiruddeen, Madhub, Biswanath Mundle, Sree Nauth Mundle, Oma Churn Biswas, Anund Sikdar, Beney Sikdar, and many others; we were told that we should have to kill a man. I refused saying I am Chassa's son and cannot do this deed. After this (talk) Amiruddin struck Chunder Mundle with a *Baree* on the head as he lay sleeping. Madhub speared him in the stomach and Bisso Nauth in the thigh. Chunder Mundle made but one cry when struck. I don't know who came there as it was night but I saw two Hindoo women in the Verandah of the opposite house at the time. It became morning while this Golmal was going on: the men then went off in a body to the field and commenced cutting Paddy and making an outcry. They carried off Madhub from the field like a dead body putting him down under a *Bur* tree, near a Dhobee's house from which place we walked away. The corpse itself was taken to Anund Sikdar's house; he went off at once to the Thannah. Biswa Nauth Mundle had collected the blood in a pot which I saw him scatter along the road."

This again is a summary of the case for the prosecution. It is clearly not a voluntary statement of facts made by a man of occurrences he had seen and in which he had taken a part and in regard to which he was desirous to admit his guilt.

The confessions of the two remaining men who have been found guilty along with Biswa Nauth Pramanic and Jitoo Sheikh are exactly of the same character, as the two confessions which have been read. And we may add that the story as it comes from the mouths of these men is just as incredible as it appears on the deposition of the witnesses for the prosecution.

It is of course altogether impossible to believe that these men had no other part in the matter if it be supposed that it actually took place than that which they here say they had. That the Shikdars should, if there was such a conspiracy as that which the prosecution attributes to them have taken these men in the middle of the night seduced them to the Sikdars' house under a false pretence and then suddenly have told them that they must kill a man is altogether beyond the region of probability. We may say positively that that is not the true version of the occurrence and not only is that so, but the whole tenor of the confession is improbable. It does not bear the appearance of verisimilitude; it is as has already been remarked more than once, not a new narration of facts already deposed to by the witnesses of the prosecution, but it is an echo or rather resume of the case of the prosecution and an authentication of the structure of the evidence by which it was to be supported. This being as it seems to us to the best of our judgment the intrinsic character of the confessions, it becomes important to enquire how they were first obtained. And when we turn our attention to this side of the case we find it almost impossible to ascertain how it happened that the present prisoners, that is the Sikdar's party ever came to be charged before the criminal authorities at all.

It has already been mentioned that Mr. Owen the District Superintendent of Police, and the Deputy Magistrate who committed the prisoners for trial have been examined in the Sessions Court; and very rightly, they were there both of them questioned upon this very point, but they failed to furnish the required information. It must be remembered that this affair first made its appearance in the shape of an information laid at the Pangsha Thannah by Anund Sikdar. The Police acted upon this information, officers went to the spot, witnesses were collected, the persons who appeared to be guilty parties and responsible for the matter charged in that information, were arrested, and were taken before the Deputy Magistrate; proceedings upon this foundation were going on smoothly and so far as the interests of Public Justice were concerned, with apparent success for a period of 8 or 9 days when suddenly Mr. Owen the District Superintendent of Police went down to the village of Patta. He does not inform us as to the cause which led him to go there, but he admits that he did not go for the purpose of prosecuting the enquiry upon the footing of Anund Sikdar's information. He did not examine a single witness relative to the matter of Anund Sikdar's complaint; all that he tells us about the actual cause of his going is that he went to investigate the Patta murder case. But according to his own evidence he could hardly have been on the ground 12 hours, before some of the persons now accused, all of the Sikdar's party and not of the party accused by Anundo, were brought before him apparently in the character of prisoners, certainly under the charge of the Police. How this came about, Mr. Owen in the first instance altogether declined to explain. The Deputy Magistrate came to the assistance of Mr. Owen four days after Mr. Owen's arrival at Patta and took up the case whatever it was, at the point, again whatever that was, which it had then reached Mr. Owen's hands. But when the Deputy Magistrate is asked how the matter was brought before him and upon what foundation he supposed he was proceeding in it, he sheltered himself behind the privilege of his office and declined to answer.

We have thus, the singular result that a formal enquiry instituted upon the footing of a complaint preferred by Anund Sikdar that a murder had been committed together with information as to its details, is at the expiration of ten days suddenly turned into an enquiry into some charge or another against Anund Sikdar himself and his companions, without any body being in any way responsible for that charge being made or the terms of it. The Magistrate is unable or unwilling to show that this latter charge was preferred or taken up in any of the regular modes which are prescribed by the Criminal Procedure Code; nor is it satisfactorily explained when and under what circumstances the first charge was disposed of. It does not appear that the prisoners when brought before the Deputy Magistrate were in custody under a formal warrant which would have conveyed to them information of the charge which was being made against them.

Nor is there on the record any formal Police Report which could have been made the foundation of the Deputy Magistrate's proceedings, and it is not suggested that any one made a formal accusation against them. The advisers of the prisoners aver, that they were altogether unaware of the situation in which they stood, when they were brought before the Deputy Magistrate and induced to make their so-called confessions, and so far as we can judge from the record this may well enough have been the case. Anund Sikdar's complaint was made at the Pangsha Thannah at 12 o'clock midday on the 22nd August 1874. It was despatched on the same day and at the same hour to Goalundo where it arrived on the 23rd between the 12 or 1 o'clock. The purport of this information has already been given. It will however be as well at this point to read it in detail. It runs in these terms: "Information of Anund Chunder Sikdar. There is a dispute between Sadoo Biswas and myself regarding some rent paying land. On this account this morning August 22nd (Bhadro 7th) at about 4 daunds of day the aforesaid Biswas and his brother Dhonai Biswas, Ruttun Mundle, Badan Mundle Kabil Mundul, Samiruddin Biswas, Haran Joardar, Dhanai Mirdah, Naban Mundle, Arachan Khan, Anari Sheikh, Tariny Mozundar, Kali Churn Mozundar, Okhoy Mozundar, Ramkumar Palit, Anund Raha, Bishu Sheikh, Minoo Sheikh, Lal Mohmed Sheikh, Sukoor Mahmed Sheikh, Sheikh Haran Modhoo Sheikh, Madari, Sheikh, Biroo Sheikh, Fateck Sheikh, Koresh Sheikh and of Mosedah Bongram Ledoo Biswas, Sakatullah Biswas, Satkari Mallah Jnayetullah Sheikh and of Kumardangah, Sadutullah, Tameez Mondle and Kasmiddin of Nibhoi Akoor Biswas, Nader Sheikh and of Kattiakholah Ramjan Khalashee and of Balchatra Muddosudan Mitter and others armed with sheild, spears, latties &c., together with 20 or 25 reapers entered the Dhan field of my son-in-law Biswanath Mundle who holds it in "Borga" tenancy (of me) and began to cut the Dhan on one plot of the land. Upon this the aforesaid Biswanath and his "Pootara (i. e., cousin of his son-in-law) Chunder Mundle and I went there and opposed (or remonstrated with) them. The aforesaid Chunder attempted to lay hold of a bundle of the cut Dhan whereupon by order of Sadhu Biswas and Dhonai Biswas, the aforesaid Ruttan Mundle struck at him with a spear which he held in his hand, but Chunder warded off the blow with his lattee. On this I and Biswanauth ran away and stood some distance off. Then Sukattullah struck Chunder with his lattee on the head and as he fell on the ground Haran Joarder struck at his thigh with a spear he had in his hand. I do not remember whether the spear struck the thigh or not at that moment. Peari Mohan Ghose Baney Chunder Shikdar residents of the place and Sreenath Mundle of Nibha were standing to the east at the back of Jaffer Sheikh's house near the scene of occurrence; we (or I made them witnesses and on other inhabitants of the place coming forward the accused went off. Then I and Bissonath and the aforesaid Sreenath Mundle and others in concert carried Chunder who was insensible and with his face drawn to my house. Afterwards he died from the effects of the injuries he had received. On this account after leaving the aforesaid Bissonath in charge of Chunder's body, I have come here and laid this information against the aforesaid accused and desire that an enquiry be made. In proof of my statement the aforementioned Bissonath Mundle. Peary Mohun Ghose Baney Chunder Sikdar and Sreenath Mundle of Nibah are my witnesses."

The Sub-Inspector Rajchunder Bose reports that he started to make the enquiry after sending a copy of the Izahar to the Deputy-Magistrate and news by letter to the Inspector. This letter received by Parbuty Churn Bhuttacharjee between 2 and 5 P. M. on the 22nd at Goalundo says that Anund Chunder came at 12 o'clock and laid his information as to the murder &c. taking place at 4 dunds of day.

We have in evidence in this case the special diaries of the different Police officers. In the first Diary of Raj Chunder which is dated August 22nd 1874, and which was received curiously enough so late as August 27th 1874, we read as follows: "To-day complainant came to the station about 12 o'clock and lodged his information &c. I started off in a boat with a Head-Constable and Constable.—Owing to wind and excessive rain and opposing tide could not reach complainant's house till 5 o'clock. The body was lying in the *Uttan* Bari, between the road and the Uttan; there were marks of blood and the body shewed signs of having been dragged along (the ground). On the body was a red fringed *Dhoti* tightly girt. There was mud up to the knees and on various parts of the body. Beneath and near the head there were about 2 seers of blood on the ground. In the belly and on the right thigh there were spear wounds; on the left side of the head was a wound apparently inflicted by a lattee 5 finger breadth and length and 2 in width. There was long flowing hair (Babri chul such as Lattials usually wear) on the head, and the man was about 30 years of age. The Suruthal was drawn up and the body despatched to Goalundo in charge of the Constable &c."

Then the diary mentions the several persons, neighbours who were interrogated and gives the purport of the information afforded by them. This we must take to have been honestly written for Raj Chunder Bose himself was examined in the Session's Court and the veracity of his entry was not at that time, in any way questioned. All the information here disclosed goes to support substantially the version of the case which had been put forward by Anund Sikdar. On the second day, two reports were lodged at the Thannah by the two Zemindars of Patta at the Pangsha Thannah. This was on the 23rd giving information of a fight between the two parties of Anund Sikdar and Sadu Biswas in the matter of cutting Dhan in which these reports said that Chunder Mondle was killed. The diary of Raj Chunder Bose of the same day says: "I inspected the scene of occurrence in company with complainant and his witnesses Biswanath, Peary, Beni Sikdar and Sree Nath, some Dhan was cut and some was scattered about and the ground bore marks of many men's footsteps, Owing to the rain no marks of blood were visible."

The diary then gives the purport of the information taken from several persons, and states the names of many others who were examined by the Sub-Inspector amongst these, was Maloo Sheikh, the very man who has given evidence before the Session's Court. There is no suggestion that he at that

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time said a word to the Sub-Inspector of the story such as his deposition in the Sessions Court represents.

In the special diary of the 24th August written partly by Raj Chunder Bose and partly by Parbutty Charan Bhuttacharjea who appears at that time to have arrived at the spot. Raj Chunder says he appointed the Head Constable and constable to search the house of Sakatullah and to arrest the said Sakatullah and some others and he himself tried to arrest the other accused and examined some of the neighbours. Amongst these were Kistomony Bewa and three other women.

The diary then shews that at 7 A. M. the principal accused Sadoo Biswas and Kali Churn Mozumdar were brought to Raj Chunder, and were thereupon handed over to the Inspector Parbutty Churn and then the enquiry and all the papers connected with it, were surrendered over to the latter officer.

Parbutty Churn on the same date reports that at 8 o'clock the previous day, (23rd) he went to the Deputy Magistrate and informed him of all the proceedings and having waited by his advice to learn the result of the Post Mortem examination, returned by train to Pangsha which he reached at 9 P. M., that he left again at 11 o'clock that night and reached Patta at 9 in the morning; that he took the enquiry and after directing Sadoo Biswas and Kali Mozoondar whom the Sub-Inspector had produced to remain in attendance he began to test the truth of the information laid by the complainant and to produce and test the depositions of the witnesses who had been examined by the Sub-Inspector and to produce those accused against whom proof lay.

The diary then describes the work done by the Police officers on that date. Several of the accused were sought for in vain and their houses were searched. He then adds as he (Parbutty Churn) heard that the Deputy Magistrate was going to Calcutta that night by the 7. 30. train he started at 2. 30. to go to the Pangsha railway station to meet him and tell him all the particulars of the case. The Sub-Inspector and Head Constable were left to search for and seize the accused against whom there was proof. The witnesses are named as being ready to testify in the presence of the accused to the same facts as they had previously testified to the Sub-Inspector.

The diary of the 4th day recapitulates the results of his interview the previous day with the Deputy Magistrate and mentions receipt of both verbal and written orders to produce the accused and the complainant and his witnesses at Pangsha before the Deputy Magistrate on the 27th and states that he examined Moni and other persons. Moni, the aunt of the murdered man, was the first witness examined in the Sessions Court. She does not appear at this date to have given any reason to the Inspector to suspect the truthfulness of the charge which he was investigating as has been already remarked in the course of our comments on the evidence given at the Sessions trial. Moni does not in fact anywhere charge the Sikdars with having been the cause of the death of her nephew.

The same day the informations afforded by several witnesses is set out. Amongst others the statement of Anund Dhopani, wife of Ramchand Dhopa, who says: "Early on Saturday last, she was eating with her family when hearing a great noise in the direction of the mat she fled into the jungle and a little after when the noise ceased, heard that a dead body was lying in Anund Sikdar's Bari and that a riotous body of men with Sadu Biswas had attempted to cut his Anund's dhan."

This is the wife of the very man through whose homestead the body was said to have been carried and over which the blood was said to have been thrown.

Another witness, Kamini Bhuimalini, says that she is the wife of Onath, one of the witnesses in the case. She says to the Inspector: "4 or 5 days ago in the early morning at the time of *Leping* the house and entrance I fled with my three daughters to a tank in the Mango garden as the wife of Ram Chand Dhopa who was flying with her infant son and daughter was saying that the Lattialls had fallen upon us. Afterwards returning to the house I heard that the Lattials of Sadoo Biswas in attempting to cut the Dhan of Anundo Biswas had killed a man."

The diaries for the 5th, 6th, 7th, 8th, 9th and 10th day are all of a similar character. The Inspector duly proceeding with his enquiry, examining a great number of witnesses, and apparently getting the information which tended to support the substance of Anundo Chunder Sikdar's complaint. He had succeeded in arresting the principal persons charged and had sent them to the Deputy Magistrate at Goalundo. There is nothing to indicate that the enquiry was not proceeding in all respects as ought to be desired, or that there was any sort of reason to suspect that the charge preferred by Anundo Sikdar was a false and misleading charge. On the 10th day the Inspector arrived with his witnesses at Goalundo, whither the prisoners had preceeded him, and arranged that they should be examined by the Deputy Magistrate the next day.

On the next day, that is the 1st September, it appears from the diary that he informed the Deputy Magistrate of the attendance of the witnesses. The Deputy Magistrate, however refused to examine them as the District Superintendent (Mr. Owen) was going according to the wish (or instruction) of the District Magistrate (Mr. Wells) to make a local enquiry. He directed the witnesses to give each recognizances in the sum of Rs. 50 to appear on Tuesday the 8th instant. This was done; and the Inspector then records "Here my investigation in the case ceased."

On the next day Mr. Owen reached Patta at 8 O'clock in the evening. He has told us in his evidence in the Sessions Court, that some constables and the Court Sub-Inspector went there about the same time but not with him, nor by his orders. And indeed it is not easy to say whether the Court Sub-Inspector arrived before or after him. He of course naturally was unable to do much on the evening of the 2nd September but according to his statement in the Sessions Court, on the 3rd he received information from some one whom he declined to name, which with other things, caused him altogether to discredit the Sikdar's story. He at first as has already been mentioned, refused to give any details whatever upon this point. However on the second day, he changed his mind and consented to make a certain limited statement upon the point. This was on the 19th, when according to the record made by the Sessions Judge:—

"Afterwards Mr. Owen having intimated to the Court that he desired to add somewhat to his deposition as given on the 17th, he is with consent of the prosecution and the defence and by the order of Court this day, recalled, re-sworn and further examined as follows:—

"*William Louis Owen* on oath says: I wish to explain my former answers regarding the secret information alluded to by me. On the afternoon of the 3rd September I was in Patta village trying to find out about the case and to make enquiries, I came across an apparently respectable man whose name (as matter of good policy) I decline to state. I asked him what he knew about the case. He gave an evasive answer. I saw from this that he knew about the case, and from information received from him I noticed the absence of persons from their homes in Pattah. I then saw one of the accused Bissonath Pramanick stealthily retreating. I caused him to be arrested. He made what I understood to be a full confession and working on this basis the Police enquiry resulted as it did. All this happened between me and the persons indicated directly *i. e.*, no native police officer had anything to do with the matter as an intermediate agent."

. . . . . .

And from this time, according to Mr. Owen, the charge laid at the Pangsha Police office by Anundo Sikdar against Sadoo Biswas was converted into a charge against Anundo Sikdar himself and others. This is all the account given to us by Mr Owen of the extraordinary change which took place in the case. And we get nothing further by way of explanation from the Deputy Magistrate.

We have found it necessary under the peculiar circumstances of this case to pursue in somewhat unusual detail the apparent course of the Police investigation and when we see that the extraordinarily sudden manner in which that course took a reverse turn, we may say without any satisfactory explanation whatever by those who had the charge of the proceedings, we cannot but feel that we have here got to a point at which probably, if we knew every thing, we should find good reason to understand how it is that the depositions of the witnesses in this case and the confessions which have just been referred to, bear the character which they do bear. Mr. Owen by his own account examined only 8 witnesses in the whole. The prisoners who have now been tried, were arrested at 1 P. M. on the 4th September by the Court Sub Inspector *i. e.* on the 2nd day of Mr. Owen's enquiry. Mr. Owen seems, without any explained cause, to have at once made up his mind that the results arrived at by the Police Officers, who had preceded him, during many days of investigation, were to be set on one side. Though he did not take with him the diaries which they had sent in and so had no apparent means of checking the statements of witnesses made to him, by comparison of them with the statements of the same informants made to his predecessors, he perceived immediately that they had been misled, and was himself able to achieve a most sudden success. Even the first time or almost the first time, that he entered the village of Patta he was fortunate enough to meet a respectable looking man who by an evasive answer betrayed that he could furnish just the true information, which Mr. Owen wanted and which those who had been pursuing the investigation before him had been seeking in vain. Then with a repetition of good fortune he perceived the prisoner, Bissonath Pramanick stealthily retreating from him under the dictates of a guilty conscience, which immediately bore fruit in the shape of a full confession. That is, in other words a principal man of the party, which had hitherto been the accuser and whose case up to this point had been supported by the whole of the collected evidence, suddenly at the sight of Mr. Owen, confessed to the falsity of that case and to his own guilt!—And perhaps the most surprising part of the affair is, that it does not appear that Mr. Owen was in the least surprised at this. It is quite plain to us that a great deal must have happened at this stage of the case which is very material indeed to the merits of the present trial and which has never been disclosed in Court. The learned Counsel who has appeared on behalf of the prisoners, has boldly attributed this, or much of this, to the action of the Court Sub-Inspector, who has already been more than once mentioned. Whether this imputation be in fact true or not, we have not the means of forming a definite opinion; but there certainly appears to be much to give countenance to it, in the studied secrecy which the prosecution has thrown over the part played by this officer in this matter. Mr. Owen the District Superintendent of Police professes himself entirely ignorant of his subordinate's proceedings Mr. Owen says. "The Court Sub-Inspector went to Patta about the same time *not along with me nor by my orders* The constables arrived before me. *Can't say whether the Court Sub Inspector arrived before or after. I do not know whether the Constables were under the Court Sub Inspector or not.* They were attached to the Goalundo Sub-Divisional Thannah. *I do not know, and I never enquired to what Thanna they belonged or how they came there.*" Also in giving his evidence, Mr. Owen forgets that it was the Court Sub-Inspector who arrested *all* the prisoners on the 4th September, and that he himself signed the Return (B) drawn up by the Court Sub-Inspector in which an entry to this effect is made. It is not a little remarkable that the same Court Sub-Inspector was allowed to be the prosecuting officer at the Sessions; and to this circumstance it may be owing, that so much mystery still hangs over this part of the case However this may be, the prisoners are entitled to the benefit of any inference favourable to them which may be legitimately raised upon the state of the case, as left by the prosecution. It is true that the Deputy Magistrate was himself soon upon the ground and took down the so-called confessions of the prisoners. We must assume, indeed we have no reason to doubt, that he entirely supposed that these confessions were real confessions, voluntarily given. Had he thought otherwise, he would of course never have accepted them. But in respect to this we cannot altogether shut our eyes to the fact that this gentleman in another case which was very recently before us and in which the Inspector Parbutty-churn Bhuttacharjea was also concerned, did take down the confession of a prisoner, did record it as having been made voluntarily, and did no doubt believe it to be a real confession of fact, although without assigning any reason he was the first person, shortly afterwards to put it on one side as fabricated matter—entirely got up by the machinations of the Police.

On the whole, we feel bound to say, we think the materials upon which this prosecution has been based and has been made to terminate in the conviction of the prisoners, are throughout of the most worthless character. And we think that we can see a point in the course of the Police enquiry, at which Mr. Owen and the Deputy Magistrate were deceived *by some one.* We have therefore found it our duty to acquit all the prisoners. And we are glad to find, that our view of the facts of the case is substantially corroborated by the view which was taken by the Assessors who heard the evidence given in the Sessions Court,

(Sd.) J. B. PHEAR.
(Sd.) G. G. MORRIS.

LONDON CORRESPONDENCE.

London, 19th February 1875.

THERE have been two very remarkable instances of Parliamentary elections within the last few days. In both instances the voice of the people have signified their disapproval of the judgment of the constituted authorities, and have chosen to regard the objects of such judgments in the light of martyred heroes. The electors of the Borough of Stoke-upon-Trent have returned Dr. Kinealy as their member; while the celebrated John Mitchell, "the convicted felon" has been returned as a member for the country of Tipperary in Ireland. The facts of Dr. Kinealy's case must be fresh, in the minds of your readers. The working people of this country have little faith in and no sympathy with a prosecution undertaken by the Government. By the great majority of that class, the Tichborne claimant is still regarded in the light of a persecuted man, victim of the animosity of the upper classes, and one who having had to contend against the resources of a powerful government, was unequally matched, and had not had a fair trial. It is no wonder, then, that the counsel who defended him with so much warmth and zeal, should command their sympathy. Dr. Kinealy's subsequent disbarment and degradation, which in their judgment followed from the part he had taken in the Tichborne trial, served only to quicken their sympathies for him. So when he appeared as candidate for the Borough of Stoke-upon-Trent, the working classes, who command the most votes in that Borough, had no difficulty in returning him. His success was very decisive, for he polled nearly two thousand votes more than the candidate who came next to him in the poll. But though Dr. Kinealy had succeeded so far, his difficulties were not at an end. According to the ordinary practice, a new member when he appears in the House for the first time, is introduced by two members of the House, "the object of the rule being to identify the member." Now in a House numbering more than six hundred, he could not get two members to identify him, although he must have been much better known than good many in that House. A more striking proof of the essentially sectional and perhaps aristocratic spirit of the British House of Commons can scarcely be needed. Dr Kinealy may have, personally, rendered himself disagreeable to some of the members, but he appeared in Parliament, not as the ex-Counsel of the Tichborne claimant, not as the disbenched and disgraced Queen's Counsel, nor either as the Editor of the scurrilous *Englishman*, but as the representative of a large and influential constituency. Mr. Bright offered to introduce him but a second member was not forthcoming; and eventually at the suggestion of Mr. Disreali, a rule which had been in force since the 23rd of February 1688, and which had never once been broken upon, was relaxed in the case of Dr. Kinealy, and the latter took the oath and subscribed the roll in the usual form, without any member of the House acting as sponsor.

The election of John Mitchell was remarkable, and the more so from the action of the House subsequent to his election. The incidents of Mitchell's life bear the stamp of the fate of that class of Irish Patriots known as the "Nationalists." He had in 1848 been convicted of treason-felony, and sentenced to 14 years' transportation. He had escaped from the place of his exile, and the period of his punishment had expired. And now when a vacancy took place in the representation of Tipperary, the unanimous voice of the electors returned him as their member. But an Irish Patriot, and one especially with the antecedents of Mitchell, has no welcome place in the British House of Commons. So when it became known that Mitchell had been elected member for Tipperary, and even before the return to the writ had been received, Mr. Hart Dyke moved for "Copies of the certificate of the conviction of Mitchell" in the Treason-felony case, and also for an extract from the Government Gazette of Hobart Town, containing the official notification of his escape. On the same day and in the course of the discussion which followed, Mr. disraeli gave notice that he would move on the 18th instant "That John Mitchell, returned as member for the county of Tipperary, having been adjudged guilty of felony and sentenced to transportation for 14 years, and not having endured the punishment to which he was adjudged, or received a pardon under the great seal, has become and continues to be incapable of being elected or returned as a member of the House; that Mr. Speaker do issue his warrant to the clerk of the crown in Ireland to make out a new writ for the election of a representative in the present Parliament for the said country of Tipperary in the room of John Mitchell, adjudged and sentenced as aforesaid." Mr. Dyke's motion was carried, and yesterday Mr. Disraeli brought in his resolution declaring Mitchell incapable of sitting in Parliament. In the discussion, it seems to have been admitted on all sides that if Mitchell have not escaped, but had undergone the sentence for the full term, there would have been no objection to his now sitting in Parliament and no honourable member of that august House would have considered it an indignity to sit by the side of a convicted felon. It seems also to have been admitted that Mitchell could not be re-arrested and made to suffer the unexpired portion of his sentence. The sense of the House, therefore, seems to have been that although Mitchell was not now liable to the penal consequences of his treasonable act and of his escape from the place of his punishment, he still suffers from those civil disabilities, which one should have thought ran with the sentence, but which according to the new interpretation, would seem to survive it. There were many nice and interesting questions of law involved, and it would perhaps have been satisfactory to all parties, if the matter had been referred to a legal tribunal. As it was, there was a respectable minority who voted for the appointment of a Committee to inquire into the question of Mitchell's eligibility.

This action on the part of Parliament, the reversal of the vote of a large and important constituency in the heart of *a disaffected country, would perhaps be a serious embarass-*

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ment to those charged with the Government of Ireland ; and it is impossible not to admit that the action of the Government has been somewhat hasty and precipitate.

A deputation from the Glasgow Chamber of Commerce waited on the Marquis of Salisbury on Tuesday the 16th of February. The object of the deputation was to present a "memorial from the Chamber on the subject of the tariff on cotton goods imported into India. The memorial prayed for the immediate revision and ultimate abolition of the duty of 3½ per cent on yarns and 5 per cent on cotton piece goods imported from England into India." The deputation is on the whole reported to have received a favourable reply, the Secretary of State remarking that "he was quite of their opinion that these duties were not duties which it was desirable permanently to maintain."

The Prince Imperial has now finished his career at the Military Academy at Woolwich. That career does him credit. In the final examination he occupied the seventh place in a class of 40 students. In order to estimate his success it is necessary to bear in mind that he began his studies it Woolwich with an imperfect knowledge of the English language. In the present state of affairs in France, the success of the Prince Imperial may not be without its effects on the politics of that unfortunate country.

Government Notifications.

Calcutta Gazette.—*March* 17, 1875.

GENERAL—*The 10th March* 1875.—In supersession of the orders of the 20th February 1875, published in the *Calcutta Gazette* of the 24th idem, Mr. William Benjamin Oldham is appointed to act as a Joint-Magistrate and Deputy Collector of the First Grade, with effect from the date on which he made over charge of the office of Magistrate and Collector of Midnapore to Mr. H. L. Harrison, up to the date of his departure on furlough.

The following officers are vested with the powers of a Collector under act X of 1870 for the purpose of taking of land for relief roads within their respective jurisdictions :—

Mr. Francis Johnston Graham Campbell, Acting Joint-Magistrate and Deputy Collector, in charge of the Jamooe Division of the Monghyr district.

George Mainwaring Currie, Officiating Joint-Magistrate and Deputy Collector, in charge of the Begooserai Division of the Monghyr district.

Mr. William Shaw Rochfort Davies, Deputy Magistrate and Deputy Collector, at the Sudder Station of the 24-Pergunnahs, is appointed temporarily to exercise the powers of a Magistrate of the First class in the Barrackpore Division of the 24-Pergunnahs district.

The 11th March 1875.—Mr. James Duff Ward, District and Sessions Judge of Purneah, is allowed leave for 14 days, under Section 21, Chapter VI of the Civil Leave Code, with effect from the 5th March 1875;

Lieutenant-Colonel Boyce William Dunlop Morton, Deputy Commissioner of Manbhoom, is allowed subsidiary leave from the 6th to 20 March 1875, inclusive, to enable to him to rejoin his appointment on return from furlough.

The 12th March.—Mr. Ross Lowis Mangles, C.S., is appointed to act as District and Sessions Judge of Hooghly during the absence, on duty, of Mr. H. T. Prinsep, or until further orders.

The orders of the 16th February 1874, published in the *Calcutta Gazette* of the 17th idem, appointed Baboo Hurri Nath Chatterjee to have charge of the Arrareah Division of the Purneah District, are cancelled.

The services of Mr. Henry Biring Lawford are placed at the disposal of the Government of India in the Home Department.

The 13th March 1875.—Mr. H. Hankey, Magistrate and Collector, Moorshedabad, having reported his arrival at Bombay on his return from furlough on the 4th March 1875, is allowed subsidiary leave up to the 6th idem.

Baboo Horokali Mookerjee, Deputy Magistrate and Deputy Collector, Jahanabad, is allowed leave for three months, under Section 21, Chapter VI. of the Civil Leave Code.

Baboo Protap Narain Sing, Deputy Magistrate and Deputy Collector, Bood-Bood, is appointed to have charge of the Jehanabad Division of the Burdwan District from the date on which he may relieve Baboo Horokali Mookerjee.

Baboo Kristo Prosad Ghose, Deputy Magistrate and Deputy Collector, Pubna, on leave, is appointed to have charge of the Bood-Bood Division of the Burdwan District.

Baboo Gunga Nund Mookerjee, Extra Assistant Commissioner, Manbhoom, having returned to duty on the forenoon of the 4th March 1875, the unexpired portion of the leave granted to him under orders of the 13th February 1875 is cancelled.

The 15th March 1875.—Mr. Arthur Charles Wright, Deputy Magistrate and Deputy Collector, in charge of the Jehanabad Division of the Gya district, is allowed leave of absence for twenty months, under Section 8, Supplement of the Civil Leave Code, together with subsidiary leave for a period not exceeding thirty days.

Mr. Alfred Augustus Wace, Officiating Joint-Magistrate and Deputy Collector, Tajpore, is allowed furlough for nine months under Section 10 (a) of the Civil Leave Code, together with subsidiary leave for twenty days, with effect from the 8th March 1875.

Mr. James Francis Katherinus Hewitt, Magistrate and Collector of the Third Grade, is appointed to be Magistrate and Collector of the Second Grade.

Mr. Robert Douglas Hime, M.A., Joint-Magistrate and Deputy Collector of the First Grade, is appointed to be Magistrate and Collector of the Third Grade, but he will continue to act in the Second Grade of Magistrate-Collectors.

Mr. Charles Campbell Quinn, C.S., is appointed to act as Magistrate and Collector of Bhagulpore during the absence, on leave, of Mr. V. T. Taylor, or until further orders Mr. Quinn, will, however, continue to act as Magistrate and Collector Rajshahye until relieved by Mr. D'Oyly.

Mr. William McKinley Clay, C.S., is appointed to act as Joint-Magistrate and Deputy Collector of Rajshahye until further orders.

Mr. George Elden Manisty, Assistant Magistrate and Collector, Rajshahye, is appointed to have charge of the Nattore Division.

Mr. Francis Richard Cockrell is appointed to as Commissioner, of the Cooch Behar Division in addition to his duties as Commissioner of the Rajshahye Division.

Mr. Thomas Taylor Allen is appointed to act as District and Sessions Judge of Jessore during the absence, on deputation, of Mr. H. B. Lawford, or until further orders.

Mr. George Lucian Taylor Harris is appointed to act as Additional Judge and Additional Sessions Judge of Jessore and Backergunge.

Mr. Edwy Samuel Mosely C.S., is appointed to act as Magistrate and Collector of Beerbhoom during the absence, on leave, of Mr. R. D. Hime, or until further orders.

Mr. Robert Douglas Hime, M.A., Acting Magistrate and Collector, Beerbhoom is allowed two months, leave of absence under Section 21, Chapter VI of the Civil Leave Code, from 10th April 1875.

Mr. Robert Cornish, B. A., is appointed to act as Joint-Magistrate and Deputy Collector, Nuddea, in the Second Grade, during the absence, on deputation, of Mr. E. S. Mosely, or until further orders.

The 16th March 1875.—Mr. Archdale Villiers Palmer Acting District and Sessions Judge, Sahabad, is allowed leave for three months, under Section 21, Chapter VI of the Civil Leave Code, with effect form the 16th April 1875.

Mr. Joseph Samuel Armstrong, Magistrate and Collector of Pooree, is allowed leave for six weeks, under Section 21, Chapter VI of the Civil Leave Code, with effect from the 1st April 1875.

Mr. John Foster Stevens, C. S., is appointed to act as Magistrate and Collector of Pooree during the absence, on leave, of Mr. J. S. Armstrong, or until further orders.

Lieutenant L. J. H. Grey, Assistant Commissioner, Loharduggu, is allowed leave for six weeks, under Section 21, Chapter VI of the Civil Leave Code, with effect from such date as he may avail himself of it.

POLICE.—*The 15th March* 1875.—Mr. Herbert Hankey, C.S., is appointed to act as Inspector-General of Police, during the absence, on furlough, of Colonel J. R. Pughe, or until further orders, with effect from the 6th instant.

The 11th March 1875.—Mr. Gideon Colquhoun Sconce, Judge, Small Cause Court, Calcutta, is appointed to act as First Judge of the Calcutta Small Cause Court during the absence, on leave, of Mr. G. S. Fagan, or until further orders.

Mr. C. F. Egerton Allen is appointed to act as a Judge of the Calcutta Small Cause Court during the absence, on deputation, of Mr. G. C. Sconce, or until further orders.

The 13th March 1875.—The name of Rohim Biswas is removed from the list of Honorary Magistrates in Moorshedabad.

The 15th March 1875.—Baboo Behary Lall Mitter, Sub-Deputy Collector, Rungpore, is vested with the powers of a Magistrate of the Third Class.

Mr. William DaCosta, Subordinate Judge of Sarun, is allowed leave of absence for one month and a half, under Section 21, Chapter VI of the Civil Leave Code.

Baboo Luchmun Pershad, Monsiff of Chupra, is appointed to act as Subordinate Judge of Sarun during the absence, on leave, of Mr. W. DaCosta, or until further orders.

Baboo Bhuggobutty Churn Mitter is appointed to act as Monsiff of Chuprah during the absence, on deputation, of Baboo Luchmun Pershad, or until further orders.

The 16th March 1875.—Baboo Bhagwan Chunder Sen is promoted to the Fourth Grade of Subordinate and Small Cause Court Judges, and is confirmed in his present acting appointment as Subordinate Judge of Backergunge.

Baboo Nobin Chunder Gangooly B. L. is appointed to be Small Cause Court Judge and Subordinate Judge of the Fourth Grade, and is posted to Tipperah.

Mr. J. White, Deputy Magistrate and Deputy Collector, Barh, will cease to exercise the powers to try summarily the offences mentioned in Section 222 of the Civil Procedure Court with which he was temporarily vested.

LEAVE OF ABSENCE TO MOONSIFS.—*The 10th March* 1875.—Baboo Gour Chunder Doss, Moonsif of Ishragunge, in the district of Mymoonsingh is allowed sick leave of absence for six months from the 1st March 1875, under Section 3, Supplement F of the Civil Leave Code.

Baboo Abinash Chundra Mitter, First Monsiff of Madaripore, is allowed leave of absence without pay for a week from the 8th March 1875, under Section 9, Supplement F of the Civil Leave Code.

Baboo Gocool chand, Second Monsif of Patna, is allowed leave of absence for fourteen days from the 8th March 1875, under Section 21, Chapter VI of the Civil Leave Code.

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